

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9097 of 2016

Arising Out of PS.Case No. -153 Year- 2015 Thana -POTHIYA District- KISANGANJ

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1. Rahim S/o - Asaru R/o Village - Bhuma Basti, P.S. - Phansi Duwa,
District - Darjeeling (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Firoz Ahmad, Advocate

For the Opposite Party/s : Mr. Satyaverat Verma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2016

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
379 of the Indian Penal Code.

The prosecution case is that on theft of high
tension of conductor wire led to registration of First
Information Report against unknown. The name of the
petitioner sprang up during investigation on confession of
co-accused.

It is submitted by the learned counsel for the
petitioner that recovery has not been made from the possession
of the petitioner. Except the confession of co-accused no
material has been collected during investigation. The impugned
order does not suggest any other material than the confession

of co-accused. For the occurrence of 22.05.2015 the First Information Report was registered on 26.05.2015.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Pothia P.S. Case No. 153 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The bail bond of the petitioner shall be accepted by the learned court below on filing affidavit to the effect that he will cooperate during investigation. The said affidavit will be transmitted to the concerned I.O. The non-cooperation in the investigation will give liberty to the learned court below to cancel the bail bond of the petitioner.

(Dinesh Kumar Singh, J)

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