

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50117 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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BIRBAL KUMAR BISWAS @ BIRBAL BISWAS, son of Lakhani Lal
Biswas, resident of village Kurhili, P.S. Dagarua, District Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-11-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
30.08.2016 in connection with Sadar P.S. Case No. 05/16 for
offences punishable under Sections 461, 379 of the Indian Penal
Code.

The allegation is that seven pieces of laptops, one
printer, one wrist watch, one mobile phone, cash of Rs. 23,000/-
and three ATM cards were stolen by the unknown miscreants from
the computer training institute of the informant.

It has been submitted by the learned counsel for
the petitioner that he is innocent and has falsely been implicated in
the aforesaid case. He submits that the petitioner is not named in
the First Information Report and simply because one laptop was

seized from the possession of the petitioner, which he claimed to have purchased from one Bittu Thakur, the petitioner has been implicated. He further submits that the petitioner has no criminal history.

However, learned APP for the State submits that although the petitioner is not named in the First Information Report, but during investigation his name surfaced, hence, opposes the prayer for bail.

Be that as it may, since perusal of materials on record does not reveal that the petitioner's liberty on bail would adversely affect the trial and considering the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 05/16.

(Nilu Agrawal, J.)

Rajesh/-

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