

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29104 of 2017

Arising Out of PS.Case No. -209 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

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1. Dagra Mandal Son of Chathu Mandal Resident of Village- Purani Sarai,
P.S. Nathnagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-07-2017

Heard learned counsel for the petitioner.

The petitioner seeks regular bail in connection with
Nathnagar PS case no. 209 of 2015 registered for the offences
punishable under Section 379 of Indian Penal Code.

The case of the prosecution is regarding theft of
electric wire of the transmission line of Bihar State Power
Transmission Co. Ltd., Patna resulting in loss of Rs. 25 lacs.
Though the FIR is lodged against unknown, the petitioner is said
to have been implicated on the basis of confessional statement of
another co-accused namely Fantoosh Kumar, who is said to have
named the present petitioner as one of the accomplice in the theft
of electric wire.



Learned counsel for the petitioner submits that simultaneously, two cases i.e. Nathnagar PS case no. 209/2015 dt. 22.09.2015 and Nathnagar (Madhusudanpur) PS case no. 236/2015 dt. 27.10.2015 were filed for the similar allegation of theft of electric wire. Learned counsel for petitioner further submits that almost all the accused persons in the said Nathnagar (Madhusudanpur) PS case no. 236/2015 have been granted bail. Learned counsel for petitioner further submits that the petitioner has already been granted bail in Nathnagar (Madhusudanpur) PS case no. 236/2015. As far as present case is concerned, the said Fantoos Kumar, who is said to have named the petitioner, and Pudha Mandal have already been granted privilege of bail.

In such view of the matter since the petitioner does not have criminal antecedent, similarly situated co-accused persons have already been granted bail and he is in custody since 23.01.2017, the petitioner be also extended the privilege of regular bail.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to extend the privilege of regular bail to the petitioner.



Accordingly, petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-I, Bhagalpur in connection with Nathnagar PS case no. 209 of 2015.

(Mohit Kumar Shah, J.)

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