

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26281 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -JAKKANPUR District- PATNA

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1. Dharmendra Kumar Son of Sri Siya Saran Prasad, R/o Yadavchak,
Kurthaul, P.S.- Parsa Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2017 Petitioner is permitted to make necessary correction in
paragraph 1 of this petition.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
04.03.2017 in connection with Jakkanpur P.S. Case No. 19/17,
registered for the offence punishable under Sections 457, 380 of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is that
on 19.01.2017 in the night a theft has been committed in the 2nd floor of
his house which came to his knowledge after he received SMS that
money was deduced from his account from the ATM and on search he
found that jewellery, ATM card, Pan Card and other papers of



fixed deposit have been stolen.

It has been submitted by the learned counsel for the petitioner that he is innocent, has no criminal antecedent, not named in the First Information Report and his name surfaced on the confessional statement of the co-accused. He submits that no theft article has been recovered from his conscious possession and only three notes of 500 denomination has been recovered, which belongs to him and not taken out from ATM. It is submitted that charge-sheet has already been submitted hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-I cum ACJM, Patna, in connection with Jakkanpur P.S. Case No. 19/17.

(Nilu Agrawal, J)

Rajesh/-

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