

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42313 of 2017**

Arising Out of PS. Case No.-403 Year-2017 Thana- SHASTRINAGAR District- Patna

Abhishek Kumar Son of Ramesh Prasad, R/o Village- Rajopur Minpura, P.S.-  
Patliputra, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      19-09-2017              Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in a case registered under  
Sections 387 and 120B/34 of the Indian Penal Code.

Allegation is that one mobile phone was recovered from  
the possession of the petitioner.

It has been submitted on behalf of the petitioner that the  
petitioner is in custody since 17.7.2017 and has no criminal  
antecedent. There is no allegation of tampering of witnesses  
alleged against the petitioner. The petitioner has been made  
accused due to mistake of fact. There is no substantive evidence  
to suggest his implication in the present case. No incriminating  
article has been recovered from the possession of the petitioner.  
Other co-accused, namely, Nishant Kumar and Rahul Rai have



been granted regular bail by a co-ordinate Bench of this Court.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Manish Kumar, Judicial Magistrate, 1<sup>st</sup> class, Patna in connection with Shashtri Nagar P.S. case No.403 of 2017.

**(Sudhir Singh, J)**

Narendra/-

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