

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47127 of 2017

Arising Out of PS.Case No. -319 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

1. Laxmi Kumar Son of Kameshwar Prasad Shah, Resident of Village-SonepurGola Bazar, Police Station- Sonepur, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh
For the Opposite Party/s : Smt. Veena Rani Prasad

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-10-2017 Petitioner is permitted to make necessary correction in paragraph 3 of the petition.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in connection with Hajipur Town P.S. Case No. 319 of 2017, G.R. No. 2015/17 for offences punishable under Sections 414, 420, 479 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel, is that petitioner was found to be surrounded by many persons, who is alleged to have taken the ATM card of one lady.



From the possession of the petitioner 21 ATM cards and two mobiles were recovered.

It has been submitted by the learned counsel for the petitioner that for the same offence Hajipur Town P.S. Case No. 318/17 has been lodged by the victim lady. He submits that no withdrawal has been made from the ATM card of the victim lady and no cash has been recovered from the possession of the petitioner. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and petitioner is languishing in judicial custody since 14.05.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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, Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No. 319/2017, G.R. No. 2015/17, subject to the condition that both the bailors would be close relatives of the petitioner having sufficient immovable property, who will file



an affidavit stating their relationship with the petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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