

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45460 of 2017

Arising Out of PS.Case No. -148 Year- 2017 Thana -MALSALAMI District- PATNA

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Vishal Kumar @ Bhola Son of Dinesh Paswan, resident of Mohalla-
Bharatpur Simli, P.S.- Malsalami, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ram Narayan Singh, Advocate

For the S t a t e : Mr Khurshid Anwar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-09-2017

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

Petitioner seeks bail in a case under Section 395 of
Indian Penal Code.

It is submitted by the counsel for the petitioner that
even though the informant claims to have identified the culprits
but the petitioner has not been named in the first information
report. It is further submitted that his name has been dragged in
the instant case subsequently. Allegedly, there is recovery of Rs
5,100/- from his possession. The petitioner has not been put on
test identification parade and he is in custody since 01.07.2017. It
is also submitted that there is no criminal antecedent of the
petitioner prior to the instant case. The other co-accused, namely,



Vicky Kumar has been granted bail vide order dated 11.09.2017 passed in Cr Misc No 41848 of 2017.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Patna City in Malsalami Police Station Case No 148 of 2017 subject to the following conditions:

- (i) *One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.*
- (ii) *The petitioner will not induce any witness or tamper with the evidence.*
- (iii) *The petitioner shall cooperate in disposal of trial and make himself available as and when required by the Court. In the event of failure on his part to appear before the Court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.*

(Madhuresh Prasad, J)

M.E.H./-

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