

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23195 of 2017

Arising Out of PS.Case No. -216 Year- 2016 Thana -GANDHIMAIDAN District- PATNA

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Shanni Kumar @ Sahani Kumar @ Sunny Kumar, son of Om Prakash Sharma @ Om Prakash Thakur, R/o- Diwan Mohalla, Patna City, P.S.- Khajekalan, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 01-08-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 07.07.2016 in connection with Gandhi Maidan P.S. Case No. 216 of 2016 registered for the offence punishable under Section 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that he had parked his tempo out side Kali Mandir of North Gandhi Maidan and when he came there at 3:30 A.M. in the next morning, he found his tempo missing.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has



been falsely implicated in the aforesaid case. He submits that the tempo seized from the petitioner, which belongs to the informant, was not stolen by him, rather, he was sitting in the said tempo as a passenger. He submits that co-accused Sonu Kumar, who was found to be involved, although petitioner and said co-accused are not named in the First Information Report, has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 43940 of 2016 on 04.10.2016. He submits that charge-sheet has already been submitted and there is no allegation that the petitioner has tempered with the prosecution witnesses.

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 Sri Supriya Goshwami, learned Judicial Magistrate 1st Class, Patna in connection with Gandhi Maidan P.S. Case No. 216 of 2016.

(Nilu Agrawal, J.)

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