

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52929 of 2017

Arising Out of PS.Case No. -173 Year- 2017 Thana -MASRAKH District- SARAN

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Santosh Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for offence
under section 379 of the IPC.

FIR alleges theft of a Bolero Pick up van of the informant
on way to Gopalganj from Chapra carrying cattle.

Counsel for the petitioner submits that the petitioner's
name surfaced in confession of co-accused Dhananjay Sah in
Masrakh Police Station Case No. 190 of 2017. The vehicle in
question has not been recovered from his possession and he has
been remanded in this case from that case and is in custody since
30.8.2017. Charge sheet has also been submitted in the case and
there is no chance of tempering with the evidence.

In the facts of the case, prayer for bail of the petitioner is
allowed. Let the petitioner, as mentioned above, 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 Additional Chief Judicial Magistrate VIII, Saran at
Chapra in Mashrakh Police Station Case No. 173 of 2017 on the



following conditions:

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(c) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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