

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54410 of 2017

Arising Out of PS.Case No. -348 Year- 2017 Thana -RUPASPUR District- PATNA

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1. Kamlesh Sharma S/o Late Saryug Sharma , R/o Mohalla- Jai Prakash
Nagar, near Schooler Abode School, P.S.- Rajiv nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-11-2017 The petitioner seeks regular bail in connection with

Rupashpur P.S. Case No. 348 of 2017, registered for offences

punishable under Sections 461, 381 and 414 of the Indian Penal

Code and Section 39(b)(c) of the Bihar Prohibition & Excise

Act, 2016.

Prosecution case is that informant is owner plywood shop

and co-accused of this case used to commit theft of ply from the

said shop and used to sell the same to the petitioner, who is owner

of a furniture shop.

It has been submitted on behalf of the petitioner save and

except the confession made by the co-accused person, there is

absolutely nothing against the petitioner and no recovery has been

made and he has been in custody since 05.10.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let



the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, cum learned Additional Sessions Judge -9, Patna, in connection with Rupashpur P.S. Case No. 348 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 the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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