

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39886 of 2017

Arising Out of PS.Case No. -257 Year- 2016 Thana -PIRBAHOR District- PATNA

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1. Bhola Kumar Chaudhary Son of Vijay Kumar Chaudhary Resident of
Mohalla-Alamganj Chouki Kabir Matha, P.S.-Alamganj, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
19.09.2016 in connection with Pirbahor P.S. Case No. 257/2016
for offences punishable under Sections 467/468/420/414/120-B of
the Indian Penal Code and Section 66 of the I.T. Act.

The prosecution case, as lodged by the police
personnel, is that during investigation of First Information Report
lodged by the informant Pancham Kumar being Pirbahore P.S.
Case No. 263 of 2015, the police conducted a raid and the
petitioner was apprehended, who was alleged to be dealing with
stolen mobiles and selling it at cheap rate to other persons after



unlocking IMEI number.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and his confessional statement before the police has no evidentiary value in the eye of law. He submits that he is in custody for more than a year, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

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, Patna, in connection with Pirbahor P.S. Case No. 257/16, subject to the condition that :

- (i) 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.
- (ii) Petitioner will cooperate in trial and appear before the



learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

- (iii) Petitioner will also appear before the concerned police station in the first week of every month and mark his attendance.

(Nilu Agrawal, J)

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