

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.128 of 2017

Arising out of P.S. Case No. -558 Year- 2016 Thana -MOTIHARI TOWN District- EAST
CHAMPARAN (MOTIHARI)

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Kashyap Kumar, son of Chandeshwar Prasad, resident of village-
Chandmari Akauna, P.S.- Motihari(Town), District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhurendra Kumar, Advocate.

For the Opposite Party : Mr. Indra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Motihari
Town P.S. Case No. 558 of 2016 instituted for the offence under
Sections 457 and 380 of the Indian Penal Code.

It is alleged that on the date of occurrence after
breaking open the shop of the informant, cash, mobile phone and
some valuable articles as mentioned in the written report has been
stolen away by Kashyap Kumar (petitioner).

The learned Sessions Judge, Motihari, has mentioned
in the impugned order that all the witnesses have supported the
case and there is no any mention in the impugned order that any
incriminating article has been recovered from the possession of the
petitioner. From the written report also, it does not appear that any



incriminating article has been recovered from the possession of the petitioner.

Considering the facts and circumstances of the case, let the Petitioner in the event of surrender, named above, within six weeks from today in connection with Motihari Town P.S. Case No. 558 of 2016, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari, subject to the condition as laid down under Section 438(2) Cr. P.C.

(Sanjay Priya, J)

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