

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16040 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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Gaurav Kumar son of Devendra Singh, resident of village Madhurapur,
Dakhinwari Tola, PS-Teghra, District-Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 26-04-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Bibhutipur P.S. Case No. 40 of 2016 registered for the offence punishable under section 379 of the Indian Penal Code.

The petitioner had earlier moved before this Court for bail in Cr. Misc. No. 43446 of 2016 and this Court, vide order dated 06.10.2016, rejected the same with liberty to renew the prayer after none months of judicial custody.

The counsel for the petitioner submits that the petitioner is in custody since 24.05.2016, which has been mentioned in paragraph 8 of this application.

Considering the period of custody, let the petitioner,



above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sri Mohammad Alam, the Additional Chief Judicial Magistrate-III, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 40 of 2016, subject to the following conditions:-

- (i) One of the bailors shall be father/mother/wife/son of the petitioner.
- (ii) If the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail,
- (iii) The petitioner would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds of the petitioner.

(Shivaji Pandey, J)

Mahesh/-

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