

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34436 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -CHANAN District- LAKHISARAI

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1. Bharat Kumar Modi, son of Shankar Modi, Resident of Village-Manpur, Police Station- Chanan, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Ram Anurag Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 01.06.2017 in connection with Chanan P.S. Case No. 63/2017 for offences punishable under Sections 341, 323, 325, 380/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, who is a 70 year old lady, is that while she was sleeping in the night five persons came to her house and one of them tied her mouth and also assaulted her, resultantly one tooth broke and all the miscreants looted away her valuable and ornaments. While trying to escape all the five accused persons including the petitioner were



chased, apprehended and handed over to the police.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and nothing has been recovered from his conscious possession. He submits that the petitioner is the only earning member of the family and all sections, except Section 380 of the Indian Penal Code, are bailable. It is further submitted that the petitioner has been amply punished, hence, a sympathetic view may be taken.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner was apprehended on the spot.

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 Addl. Chief Judicial Magistrate-1, Lakhisarai, in connection with Chanan P.S. Case No. 63/2017.

(Nilu Agrawal, J)

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