

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55937 of 2017

Arising Out of PS.Case No. -77 Year- 2017 Thana -PAHARKATTA District- KISANGANJ

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1. Raj @ Raj Kumar Pal @ Raj Kumar Paul Son of late Bhagabati Paul @
Late Shashinath Paul Resident of Village- Chopra Bakhari, P.S.
Gowalpokhar, District- Uttar Dinajpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Paharkatta P.S.
Case No. 77 of 2017 for offences punishable under Sections 413,
414 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on information that some villagers have caught
two persons carrying a stolen motorcycle in a Jugar Gadi, the
police apprehended the two persons including the petitioner.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and
nothing has been recovered from his conscious possession as the
said Jugar Gadi carrying stolen motorcycle was kept beside the



road and covered. He submits that charge-sheet has already been submitted and petitioner is languishing in judicial custody since 28.08.2017.

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, Kishanganj, in connection with Paharkatta P.S. Case No. 77 of 2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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