

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27563 of 2017

Arising Out of PS.Case No. -134 Year- 2016 Thana -NAWADA MUFFASIL District- NAWADA

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Upendra Kumar, Son of Braj Nandan Singh, Resident of Village- Pakariya,
P.S.-Mufassil, Distict- Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No.134 of 2016 for allegedly having committed the offence under Sections 420, 406 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that at the location of the petitioner's hotel, certain pilferage was being done by other persons, who have been named in the F.I.R. He further submits that the seizure list only mentions that the place of occurrence is situated near Laxmi Line Hotel belonging to the petitioner. He, however, submits that only because the location was near the Hotel of the petitioner, presumption has been drawn that the petitioner was also



participating in the alleged act of pilferage. Learned counsel for the petitioner further submits that co-accused Vinod Kumar has been extended the privilege of anticipatory bail in Cr.Misc. No.5434 of 2017, vide order dated 6.2.2017.

In view of the fact that the petitioner's name has been brought up in connection with the present case only on the basis of conjecture and surmise and that the petitioner is also having no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada, in connection with Muffasil P.S. Case No.134 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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