

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 60146 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -JOGBANI District- ARRARIA

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Kanhaiya Kumar Sharma @ Kanhaiya Kumar, Son of Shivan Sharma,
Resident of Village- Bhatiyahi Police Station- Jogbani District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr Anuj Kumar Srivastava, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 20-12-2017

Heard counsel for the petitioner and the State.

Petitioner is accused in Jogbani (Bathnaha) Police
Station Case No 119 of 2017 dated 01.08.2017 registered for the
offence punishable under Sections 457, 380 of Indian Penal Code.

The first information report alleges theft of certain
equipment from the camp office of the construction company.
The petitioner's counsel submits that the petitioner has not been
named in the first information report and on the basis of
confessional statement of another accused Shankar Mandal, he has
falsely been implicated in this case. He submits that the seized
welding machine said to have been recovered from his house is in
his bona fide possession as he deals in business of welding. He
submits that the said machine has not been put on test



identification parade. He has no criminal antecedent and he is in custody since 05.08.2017.

Considering the submissions made on behalf of the petitioner, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Araria in Jogbani (Bathnaha) Police Station Case No 119 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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