

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13229 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -KUDHNI District- MUZAFFARPUR

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Nishant Kumar S/o Nawal Kishore Bhagat @ Nawal Kishore Singh, R/o
Village- Bangara Banshidhar, P.S.- Kudhani, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections 399, 402,
414/34 of Indian Penal Code and 25(1-b)a, 26,35 of the Arms Act.

Counsel for the petitioner submits that though prior to
the instant case the petitioner is accused in another case but in the
said he is on bail. In the instant case one mobile phone is alleged
to have been recovered from his possession. He submits that he
was in bonafide possession of the said phone as it belongs to him.
He further submits that the seizure list does not support the
allegations made in the FIR and he is in custody since 12.01.2018.

In the facts and circumstances of the case, prayer for
bail of the petitioner 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 **Chief Judicial Magistrate, Muzaffarpur** in **Kudhani P.S. Case No. 16 of 2018** subject to the conditions :

- (i) 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.
- (ii) 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)

Prakash/-

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