

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28601 of 2018

Arising Out of PS.Case No. -135 Year- 2017 Thana -SAHAR District- BHOJPUR

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Nirmal Kumar @ Gaga @ Goga S/o Late Sarvanand Singh, R/o Vill.-
Bhupauli, P.S.- Udwant Nagar, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sahar P.S.
Case No. 135 of 2017 for offences punishable under Sections 379
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his tractor was being driven by his driver Kalu Paswan and
was going with some goods and in the motorcycle co-accused
Akhilesh Kumar Singh and one unknown persons were sitting
who have stolen the tractor of the informant.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R., nothing has



been recovered from his possession and he is languishing in judicial custody since 15.11.2017. He submits that his name surfaced on the confessional statement of co-accused and one of the co-accused has already been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 18081 of 2018 vide order dated 02.04.2018. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witness by the petitioner.

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 Additional Chief Judicial Magistrate-X, Bhojpur at Ara in connection with Sahar P.S. Case No. 135 of 2017, subject to the conditions that:

- (1) 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.

- (2)
- Petitioner will co-operate with the investigation/trial and will appear before the concerned police station/court as and when required.

(Nilu Agrawal, J)

Devendra/-

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