

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32740 of 2018

Arising Out of PS.Case No. -117 Year- 2018 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Rajesh Mistri, S/o Bachchu Mistri @ Bachchu Mishri, R/o Vill.- Bhadai,
P.S.- Giriyak, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Md. Fahimuddiin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 12-06-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, in the present case, is seeking regular
bail in connection with Giriyak P.S. Case No.117 of 2018,
registered for offences alleged under Sections 379, 461 and 411 of
the Indian Penal Code and Sections 25 (1-b) a/26/35 of the Arms
Act.

Learned counsel for the petitioner submits that this
petitioner was not arrested on the spot, rather his name has
transpired in course of confessional statement of the co-accused
who were arrested while trying to commit theft in the jewelry
shop. It is alleged that this petitioner had shown the jewelry shop



to the arrested accused person and then had gone away. Learned counsel submits that this petitioner has got no criminal antecedent and he has been named in the FIR alleging that he had got identified the jewelry shop to the co-accused. Nothing incriminating has been recovered from the possession of the petitioner.

Learned A.P.P. for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case whereunder it appears that this petitioner was not present at the time of breaking of the lock of the jewelry shop and he was not arrested from the spot as also that he is in custody since 26.03.2018 and that he has no criminal antecedent, let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Bihar Sharif, Nalanda, in connection with Giriak P.S. Case No. 117 of 2018, subject to the conditions under Section 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

Arvind/-

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