

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50825 of 2018

Arising Out of PS.Case No. -75 Year- 2018 Thana -CHAUTHAM District-
KHAGARIA

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Ganesh Patel S/o Ramsharan Singh, R/o Vill.- Patel Nagar, P.S.- Chautham, District- Khagaria.	 Petitioner
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Versus

The State of Bihar	 Opposite Party
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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is an accused in a case registered for
offence under sections 379 and 461 of the IPC.

It is submitted on behalf of the petitioner that the
petitioner has falsely been implicated in this case though he has no
criminal antecedent. Petitioner is in custody in connection with
this case since 31.5.2018. Referring to the order of the Sessions
Judge dated 24.7.2018, whereby his prayer for bail has been
rejected, it is submitted that the order suffers from error of record.
He submits that his confessional statement in this case has been
recorded on 30.5.2018 and recovery of the stolen article was done
much prior thereto on 17.5.2018, as such findings of the Sessions
Judge in the said order dated 24.7.2018 that the recovery is based



on petitioner's disclosure, is factually incorrect.

Considering the aforesaid submissions, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Brajesh Kumar, Judicial Magistrate 1st Class, Khagaria in Chautham Police Station Case No. 75 of 2018/GR No. 1062/2018 on the following conditions:-

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.

(b) He/she 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)

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