

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 846 of 2018

Arising Out of PS.Case No. -337 Year- 2016 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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Birendra Prasad @ Chhote S/o Late Kripali Prasad @ Kripali Mahto, R/o
Village- Mahakar Bigha, P.S.- Chandi, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjay Kumar, Advocate

For the State : Mr Harendra Prasad, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 11-01-2018

Heard counsel for the petitioner and the State.

Petitioner seeks bail in a case registered under
Section 379 of Indian Penal Code.

The first information report has been lodged against
unknown persons. It is submitted by the counsel for the petitioner
that pursuant to some recovery made from the petitioner of stolen
motorcycle, he was implicated in Chandi Police Station Case No
88 of 2017. It is further submitted that pursuant to his implication
in the said case, he has been made an accused in Laheri Police
Station Case No 342 of 2016 as well as the instant case though
there is no recovery from the petitioner in the instant case. It is
also submitted that the petitioner has been implicated in this case



merely on the basis of suspicion. It is further submitted that in Chandi Police Station Case No 88 of 2017 wherein recovery of motorcycle was attributed to him, he has already been granted bail by this Court in Cr Misc No 41019 of 2017.

Considering the aforesaid submissions and the fact that the petitioner is in custody since 28.08.2017, 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 Chief Judicial Magistrate, Nalanda at Biharsharif in Laheri Police Station Case No 337 of 2016 subject to the following 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)

M.E.H./-

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