

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69786 of 2018

Arising Out of PS. Case No.-548 Year-2013 Thana- NAWADA District- Nawada

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Rupesh Kumar Son of Vivek Mishra alias Viveka Nand Mishra Resident of
Village-Bagodar, P.S. Hisua, Distt.-Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Nawada (Kadirganj) P.S.**

Case No. 548 of 2013 registered for the offence punishable
under Sections 461 and 379 of the Indian Penal Code.

Informant in his written complaint has alleged that
mobile phone was stolen from his Jai Bharat Mobile Shop in the
night by unknown thieves.

It has been submitted on behalf of the petitioner that
the name of the petitioner has surfaced in this case on the basis
of confessional statement of co-accused Vikash Kumar. It has
been further submitted that petitioner is in inimical terms with
said Vikash Kumar, as such he has been falsely implicated in
this case. Nothing has been recovered from the possession of the
petitioner and except said confessional statement there is no any



other incriminating material against the petitioner. It has been further submitted that petitioner has been remanded in this case on 11.09.2018 in connection with Roh P.S. Case No. 84 of 2013 registered under sections 380 and 457 of the IPC and since then he is in custody.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Nawadah**, in connection with **Nawada (Kadirganj) P.S. Case No. 548 of 2013**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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