

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76738 of 2018

Arising Out of PS. Case No.-380 Year-2018 Thana- LAKHISARAI District- Lakhisarai

Gandharb Karmkar, son of Subol Karmkar, resident of village, Uttari Begam Ganj, P.S. Radha Nagar, District, Sahebganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durga Nand Jha

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Lakhisarai (Kabaiya) P.S.

Case No. 380 of 2018 registered for the offence punishable under Sections 461, 379 and 427 of the Indian Penal Code.

Allegation is that during the night hours the mobile shop of the informant situated in the main market was intruded and large number of new mobile phones in stock were stolen. However, on technical surveillance, the mobile phones were recovered. Allegation against the petitioner is to have sold the stolen mobile phones to one Bishnu Mandal.

It has been submitted that his name of the petitioner has surfaced in this case on the confessional statement made by co-accused, Bishnu Mandal from whose possession one mobile was recovered. It has further been submitted that similarly placed co-accused persons have already been granted bail by the



court below itself. Petitioner has no criminal antecedent and he is in custody since 20.09.2018.

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 C.J.M., Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 380 of 2018, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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