

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59036 of 2018

Arising Out of PS.Case No. -108 Year- 2017 Thana -PIPRA District- SUPAUL

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Diwakar Kumar S/o Sudish Yadav, R/o ward No. 16, Panchayat Abhayram Chakala, Vill.- Jankinagar Kari Mandal Tola, P.S.- Jankinagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Pipra Police Station Case No. 108 of 2017 registered for offences punishable under sections 363 and 365 of the Indian Penal Code.

It has been submitted that the case has been registered against the unknown miscreants. The name of this petitioner transpired in confessional statement of co-accuseds Raj Kumar and Amresh Kumar. Out of them, Amresh Kumar has been allowed bail by one of the coordinate Bench of this Court in Cr. Misc. No. 52777 of 2017. The mobile, which was allegedly used in the above crime, was recovered from the possession of Dinesh Tanti and he has been allowed bail by one of the coordinate Bench



of this Court in Cr. Misc. No. 47079 of 2017. Besides that some co-accuseds have also been allowed bail by different coordinate Benches of this Court in Cr. Misc. Nos. 48367, 53822, 55079, 60201 of 2017 and in Cr. Misc. Nos. 11386, 14011 and 49544 of 2018. The case of the petitioner stands on better footing to the case of co-accused who are on bail and so he also deserves bail.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Supaul in connection with Pipra Police Station Case No. 108 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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