

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50548 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- GAYA MUFASIL District- Gaya

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Vishal Kumar @ Visal Kumar S/o Jitan Yadav, R/o Vill.- Kandi Nawada, P.S.-
Chandauti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 458, 382 and 411 of the Indian Penal Code.

Prosecution allegation, in short, is that the accused persons were arrested by police when they broke open the door of the informant and were inside the house for looting the articles.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.2.2018. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake



of fact. The allegations made in the F.I.R. is denied in respect of the said offence. Two cases were instituted and the petitioner had been granted bail in one of them. It is further submitted that the petitioner may be released **after completion of 9 months in custody.**

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that **after completion of nine months in custody,** the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Gaya Mufassil P.S. Case No. 57 of 2018.

(Sudhir Singh, J)

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