

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66368 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- ISHIPUR District- Bhagalpur

RAINA MAHALDAR @ RANA MAHALDAR Son of late Gama Mahaldar
Resident of Village- Naya Tola, Bholser, P.S. Rasalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra
For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Ishipur Barahat P.S. Case No. 17 of 2018** registered for the offence punishable under Sections 461 and 379 of the Indian Penal Code.

Allegation against the petitioner is of committing theft of 55 pieces of Mobile, Charger, Battery, Inverter, Printer and Lap-top from the shop of the Informant, though he is not named in the FIR. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. It has been further submitted that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Deepak Kumar who has already been granted bail vide order dated 20.06.2018 in Criminal



Miscellaneous No. 35377 of 2018. Nothing has been recovered from the possession of the petitioner. Petitioner is in custody since 11.06.2018.

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 **Additional Chief Judicial Magistrate-VIII, Bhagalpur**, in connection with **Ishipur Barahat P.S. Case No. 17 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 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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