

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72980 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- KOTWA District- East Champaran

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Bhola Kumar @ Vikas Kumar @ Bhola Kumar Kuswaha, son of Kishori Prasad, Resident of Village- Gariba, P.S.- Kalyanpur, District East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Kotwa P.S. Case No. 77 of 2018, G.R. Case No. 2395 of 2018 instituted for the offence under Section(s) 394/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is not named in the written report. There is no recovery of any incriminating article from his possession. The name of this petitioner has come during investigation in the confessional statement of co- accused Kunjan Kumar Sahani which is recorded in para 57 of the case diary. Learned Sessions Judge, East Champaran, Motihari ,has mentioned in the



impugned order that petitioner has criminal antecedent having seven cases pending against him.

Learned counsel for the petitioner submits that in most of the cases petitioner is on bail.

Petitioner is in custody since 26.6.2018.

Keeping in view the period of custody already spent by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Kotwa P.S. Case No. 77 of 2018, G.R. Case No. 2395 of 2018, subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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