

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9264 of 2019

Arising Out of PS. Case No.-437 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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KAILA DAS@ KALIA DAS (M), aged about 27, S/o Bhauna Das @
Bhuneshwar Das @ Bhauna Ravidas, village-Mahamadabad, P.S-Lodipur,
District.-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyam Kishor Das

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-02-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ktwali (Tilkamanjhi) P.S. Case No. 437 of 2017 registered for
the offence punishable under Sections 457, 380, 414, 427 and 34
of the Indian Penal Code.

The allegation is that when the Police was on
patrolling duty, they saw that the lock of grill gate of a house
had been broken and when the Police stopped vehicle on the
said place, four persons started fleeing away upon seeing the
Police, however, on chase, one co-accused person was caught
and he is stated to have disclosed the name of the other persons
including the petitioner herein.



The learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and in fact he has also not been arrested from the spot, hence there is no material on record to connect the petitioner with the alleged theft. It is submitted that the petitioner has a clean antecedent and the person who was arrested from the spot has already been granted bail by a coordinate Bench of this Court by an order dated 12.12.2017 passed in Criminal Misc. No. 58622 of 2017. Lastly, it is submitted that the petitioner is languishing in custody since 20.11.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No. 437 of 2017.

(Mohit Kumar Shah, J)

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