

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25825 of 2019

Arising Out of PS. Case No.-870 Year-2018 Thana- KOTWALI District- Patna

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BABLU KUMAR @ BABLU PRASAD Son of Basu Prasad @ Bashudev Prasad Resident of Aga Hussainka Chauraha, P.S.-Chowk, District - Patna at present Bahari Begumpur, Mandai Patna City, P.S.- Bypass, P.O.- Begampur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Upendra Prasad
		Ms.Veena Kumari Jaiswal
For the Opposite Party/s :		Mr.Suman Kumari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody since 21.12.2018 in connection with Kotwali P.S. Case No. 870 of 2018 for offences punishable under Sections 413, 414, 465, 466, 120-B of the Indian Penal Code.

The prosecution case, as lodged by the police personnel, is that on information that some persons are driving stolen tempo, the police apprehended the petitioner and one another with two tempo and the third co-accused managed to flee away, who did not produce any papers regarding ownership of the said tempo.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case only on suspicion. He submits that charge-sheet has already been submitted there being no allegation of tampering with the prosecution evidence and the petitioner is languishing in judicial custody for more than four months.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations, materials on record, period of custody as well as the fact that charge-sheet has already been submitted and petitioner does not bear any criminal antecedent, as stated in paragraph 3 of this application, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Kotwali P.S. Case No. 870 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who



will file an affidavit stating his relationship with the
petitioner.

(Nilu Agrawal, J)

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