

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25915 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- NATHNAGAR District- Bhagalpur

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GOPAL SAH, aged about 55 years, Male, Son of Late Parmanand Sah
Resident of Mundichak, Nakul Chand Lane, Durga Sthan, P.S.- Tilaka
Manjhi, District- Bhagalpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : M/s Anita Kumari Singh & Dhaneshwar
Vashist, Advs.
For the Opposite Party : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-05-2019 Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor appearing for the State.

The petitioner seeks bail in connection with Nath Nagar P.S.
Case No. 66 of 2019 for the offences alleged under Sections 457 and
380 of the Indian Penal Code. Later on Sections 411 and 413 of the
Indian Penal Code have been added.

The prosecution case, as lodged by the informant, is that
while she had gone to the house of her daughter in the night, some
burglar broke open her door and stole gold, silver and diamond
jewellery and cash of Rs.80,000/- from the almirah.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the first information report,
bears no criminal history and his name surfaced on the confessional
statement of co-accused, Phulchand Sah. He, further, submits that no
stolen article has been recovered from the possession of the



petitioner and the petitioner is languishing in judicial custody since 01.02.2019.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioner does not bear any criminal antecedent, as stated in paragraph 3 of the present application, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Nath Nagar P.S. Case No. 66 of 2019 to the satisfaction of the learned Additional Chief Judicial Magistrate, I, Bhagalpur, or the successor Court, 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)

Shamshad/-

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