

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38080 of 2019

Arising Out of PS. Case No.-65 Year-2019 Thana- GOPALPUR District- Bhagalpur

Gourav Kumar @ Gourav Kumar Yadav Son of Avinash Yadav Resident of
Village - Naya Tola, P.S.- Naugachia, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate

For the Opposite Party/s : Mr.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 22.03.2019 has filed the instant application for grant of bail in connection with Gopalpur P.S. Case No. 65 of 2019 registered for the offence punishable under section 379 of the Indian Penal Code to which section 411 of the IPC was added subsequently.

As per the allegation in the FIR, 20 pieces of battery were stolen from the mobile tower. The informant happens to be the guard of the said mobile tower and the FIR was registered against unknown persons.

As per counsel for the petitioner, although recovery of stolen articles have been shown by the police to have taken place from the petitioner, however, from the FIR itself it is



pointed out that while the FIR was registered on 18.03.2019, the date of the seizure of the stolen articles is 23.01.2019 at 5. 00 AM. As such it is submitted that it is a clear case of false implication. The petitioner has clean antecedent and is in custody since 22.03.2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that the petitioner has clean antecedent and is in custody since 22.03.2019, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No. 65 of 2019.

(Partha Sarthy, J)

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