

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2440 of 2019

Arising Out of PS. Case No.-35 Year-2018 Thana- NTPC District- Bhagalpur

Raj Gupta Shri Bhola Gupta @ Bhola Prasad Resident of Village-Kalgiganj,
P.S.- Kahalgoan, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Biahrr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyam Kishor Das, Adv.

For the Opposite Party/s : Mr.Binod Kumar(App16)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 22-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with N.T.P.C. P.S. Case No. 35 of 2018 registered
for the offences punishable under Sections 401, 413, 414, 411
and 34 of the Indian Penal Code.

Allegation is committing theft against the petitioner
including F.I.R. named accused persons.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Petitioner is not named in the
F.I.R. The name of the petitioner has surfaced on the basis of
confessional statement of co-accused Santosh Sah. Nothing
stolen article has been recovered from the conscious possession



of the petitioner. Petitioner is in custody since 27.07.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon 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, Bhagalpur, in connection with N.T.P.C. P.S. Case No. 35 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/-

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