

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74838 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- SAKRA District- Muzaffarpur

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NITESH KUMAR @ NITISH KUMAU @ NITISH KUMAR Son of
Yogendra Mahto Resident of Village - Megh Ratwara, P.S.- Pear (Hatha O.P.),
Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv.

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Sakra P. S. Case No. 52 of 2019** instituted for the offence under Section(s) 461 and 379 of the Indian Penal Code.

The prosecution case is regarding theft from the shop of informant. Mobile phone sets and 10,000/- Rupees cash are said to have been taken away. The total damage has been alleged by informant to be Rs. 6,40,000/-.

It is submitted by the petitioner's counsel that he has been implicated on alleged recovery of one of the missing mobile sets from the shop of the informant. It is further submitted that he had purchased the same from co-accused,



namely, Amarjeet, and he is in *bona fide* possession of the set in-question. He is having no criminal antecedents and is in custody since 21.08.2019.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Chief Judicial Magistrate, IV, Muzaffarpur**, in connection with **Sakra P. S. Case No. 52 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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