

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58009 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- SARMERA District- Nalanda

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RUPLAL KUMAR S/o Jogindra Kewat Resident of Village- Dhanawa Bigha,
P.S.- Sarmera, Distt-Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 03-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Sarmera P.S. Case No. 98 of 2022, registered
for the offences punishable under Sections 392 of the Indian
Penal Code.

The learned counsel for the petitioner has submitted
that nothing has been recovered from his possession and the
mobile which was recovered from his possession was not stolen
property and it has mistakenly been mentioned in the order of
the learned session judge dated 03.08.2022, that the mobile
recovered from the house of the petitioner was a looted property
of this case. He has further submitted that on similar ground co-



accused Kranti Kumar has been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 68633 of 2022.

On the other hand, the learned APP has opposed the prayer for bail and submitted that the looted mobile was recovered from the house of the petitioner. Apart from that, two criminal antecedents are also against the petitioner to which the learned counsel for the petitioner replied that only one case is pending against the petitioner except the present one.

Considering the above-mentioned facts and circumstances, especially the fact that on similar footing co-accused Kranti Kumar has been granted bail, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, Nalanda in connection with Sarmera P.S. Case No. 98 of 2022, subject to the following conditions:-

(i) Before release of the petitioner, the learned court below shall verify the submission of the learned counsel for the petitioner and if the case is on exactly similar footing of co-accused Kranti Kumar, in that situation, his bail bond shall be accepted. The learned court below shall also verify the criminal antecedent of petitioner.



(ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(iii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

SONALI/Sudha

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