

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28807 of 2015

Arising Out of PS.Case No. -119 Year- 2014 Thana -RAHIKA District- MADHUBANI

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1. Rajesh Kumar Sah S/o late Sarjug Sah R/o Village - Ghat Bhatra, P.S. - Bisfi Dist - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das

For the Opposite Party/s : Mr. Md . Ansural Haque (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-10-2015 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 379, 411, 414 and 401 of the I.P.C

The tractor of the informant was stolen away by unknown thieves and during investigation the petitioner and two other co-accused were arrested and further the petitioner confessed his guilt and the tractor was recovered from the garage of one Md. Ansharul.

Submission is that similarly situated co-accused Raju Kumar Yadav has been allowed bail by coordinate Bench of this Court vide Cr. Misc. No. 15783 of 2015 by order dated 10.09.2015 and as such the petitioner also deserves sympathetic

consideration, to which the learned A.P.P. opposes by submitting that the petitioner has got criminal antecedent which is evident from paragraph-3 of the application itself as he is involved in eight more cases.

In the facts and circumstances as stated above, considering that the petitioner is in custody since 14.12.2014 and co-accused Raju Kumar Yadav has been allowed bail and as such the petitioner is also directed to be released on bail, but after framing of charge, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Madhubani in Rahika P.S. Case No. 119 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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