

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50006 of 2015

Arising Out of PS.Case No. -103 Year- 2013 Thana -JAGDISHPUR District- BHAGALPUR

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1. Ratan Singh @ Ratan Mandal @ Ketan Kumar Son of Late Wakil Prasad Singh, Resident of Village - Ekchari Bholsar, P.S. - Ekchari (Rasalpur), District - Bhagalpur. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha

For the Opposite Party/s : Mr. Binod Kumar No. 3 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-12-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Jagdishpur P.S. Case No. 103 of 2013 registered for the offence punishable under Section 395 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that he is not named in the FIR and on the basis of confessional statement of co-accused Dhanik Lal Yadav name of the petitioner has transpired in this case and thereafter, he was apprehended on 25.03.2015 and remanded in this case on 27.03.2015 and thereafter, on 07.04.2015 the petitioner was put on test identification parade and the informant identified him as one of the member of the mob, co-accused Dhanik Lal Yadav has already been allowed bail and as such the petitioner also deserves

sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that though the petitioner has been identified in TIP but no specific overt act has been attributed against him, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and further considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No. 103 of 2013, 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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