

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31130 of 2015

Arising Out of PS.Case No. -53 Year- 2012 Thana -MOHAMMADPUR District- GOPALGANJ

1. Krishna Prasad Son of Verma Prasad Resident of village - Taktwarva,
P.S. Daudpur, District - Chapra (Saran)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-11-2015 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 395, 396, 412 and 414 of the I.P.C

Allegedly, six unknown miscreants looted the truck
loaded with iron rod by administering some intoxicant to the
driver and cleaner and cash of Rs. 3,000/-, later on the driver died
and during investigation on the basis of confessional statement of
co-accused Naresh Singh iron rod was recovered.

Submission is of false implication and only on the
basis of confessional statement of co-accused Naresh Singh name
of the petitioner has transpired in this case. Nothing has been
recovered from possession of the petitioner and similarly situated

other co-accused have been allowed bail vide Cr. Misc. Nos. 39461 of 2012, 2870 of 2013 and 9045 of 2013 and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that from call detail report of mobile of the petitioner it reveals that he was also involved in the crime.

In the facts and circumstances as stated above, considering that other co-accused have been allowed bail and as such the petitioner is also directed to 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 3rd Additional Sessions Judge, Gopalganj in S. Tr. No. 71 of 2014 arising out of Mahammadpur P.S. Case No. 53 of 2012, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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