

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34484 of 2015**

Arising Out of PS.Case No. -148 Year- 2014 Thana -MAIRWA District- SIWAN

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1. Deelip Prasad Son of Late Jagdish Prasad, Resident of Village- Chhithai,  
Police Station-Jamo Bazar, District- Siwan

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. J.N.Thakur(App)

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

4      10-11-2015                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

Petitioner seeks bail in connection with Mairwa P.S.  
Case No. 148 of 2014 registered for the offences punishable under  
Section 395 of the Indian Penal Code.

Allegedly, six miscreants looted away cash from two  
Nozalman at Abhay Patrol Pump, Banka More but the petitioner  
and other co-accused Wazir Ahmad were caught by Police and  
they stated the names of other co-accused.

Submission is of false implication and that the  
petitioner is suffering in custody since 28.08.2014, chargesheet  
has already been submitted and there is no chance of tampering  
with the prosecution evidence, no looted cash amount has been

recovered from possession of the petitioner and similarly situated co-accused Wazir Ahmad has been admitted to bail vide order dated 08.10.2015 passed in Cr. Misc. No. 38423 of 2015 by another co-ordinate Bench of this Court.

Learned APP submits that the petitioner is named in the FIR and he along with co-accused Wazir Ahmad were caught.

In the facts and circumstances stated above and considering that similarly situated co-accused has already been admitted to bail, 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 2<sup>nd</sup> Additional Sessions Judge, Siwan in S. Tr.No. 463 of 2014 arising out of Mairwa P.S. Case No. 148 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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