

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32677 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Jhun Jhun Singh Son of Binod Singh, resident of village - Trilokawa,
P.S. Kesaria, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Rajendra Singh Shastri Ji(App)

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

ORAL ORDER

4 09-11-2015

Heard learned counsel for the petitioner as well

as the learned A.P.P.

The petitioner seeks bail in a case registered for
the offences punishable under sections 457, 380 of the Indian
Penal Code.

Allegedly on 14.04.2015 in the night some
thieves after breaking lock of the house committed theft of box
containing Rs. 44,000/- pass book of banks, paper of fixed
deposit as well as cloths. The petitioner and co-accused Guddu
Sahani were identified in the torch light and others could not be
identified.

Submission is that only on suspicion and due to

land dispute the petitioner has been named. There is no cogent material against the petitioner and charge sheet has already been submitted and there is no chance of tempering with the prosecution witness. Co accused Niranjana Kumar and Vishal Kumar were arrested with the petitioner have already been allowed bail by this court and as such the petitioner deserves bail.

The learned A.P.P. opposes the prayer of bail and submits that the petitioner is named in the first information report and he has confessed his guilt and on the basis of confessional statement theft articles have been recovered from wheat field and further cash of Rs. 2000/- was also recovered from possession of the petitioner.

In the facts and circumstances stated above and considering the fact that the petitioner has got no criminal antecedent and charge sheet has already been submitted and there is no chance of tempering with the prosecution witness, the above named petitioner is directed to be enlarged on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial magistrate. Motihari, East Champaran in Kesariya P.S. Case No. 80 of 2015, subject to the condition 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)

M.Rahman/-

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