

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5691 of 2016

Arising Out of PS.Case No. -92 Year- 2015 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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1. Hari Narayan Yadav son of Motilal Yadav, resident of village- Saunaha,
P.S. Palanwa, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Pranav Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Dumaria Ghat
P.S. Case No. 92 of 2015 registered for the offences punishable
under Sections 395 and 412 of the Indian Penal Code.

The FIR is against unknown. Allegation is that unknown
miscreants after assaulting the informant and Khalashi snatched
their mobiles and cash of Rs. 5,000/- including license and fled
away with looted loaded truck. During investigation name of the
petitioner transpired in the confessional statement of co-accused
Pradeep Yadav and further looted potato was also recovered from
the shop of one Ranjit Kumar Mahto and thereafter, other co-
accused confessing their guilt also stated the name of the
petitioner and further petitioner has also confessed his guilt.

Submission is of false implication and that the petitioner is in custody since 26.09.2015, he has not been put on test identification parade, nothing has been recovered from his possession, looted truck was found in abandoned condition as such the petitioner deserves sympathetic consideration as similarly situated co-accused Shravan Yadav has been allowed bail vide Cr. Misc. No. 54225 of 2015 to which learned APP does not dispute.

In the facts and circumstances stated above, 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, Motihari in connection with Dumaria Ghat P.S. Case No. 92 of 2015, 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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