

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6668 of 2016

Arising Out of PS.Case No. -163 Year- 2015 Thana -KHARIK District- BHAGALPUR

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1. Chaturbhuj Chaudhuri @ Chaturbhuj Chaudhary Son of Late Palat Chaudhary, R/o Village - Kishanpur, Ratwara, P.S. - Ratwara (OP) (Alam Nagar), District -Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-04-2016

Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Kharik P.S. Case No. 163 of 2015 registered for the offences punishable under Sections 457 and 480 of the Indian Penal Code.

Allegedly, in the house of the informant theft was committed and ornaments and articles valued at Rs. 90,000/- to 95,000/- were taken away. During investigation, co-accused Mukesh Kumar was caught and on the basis of his confessional statement, some stolen ornaments were recovered from the house of the petitioner.

Submission is of false implication and that the

petitioner purchased those ornaments from co-accused Mukesh Kumar, the petitioner was not knowing that those articles were stolen one and in bona fide belief the petitioner purchased the same, and as such, the petitioner who is suffering in custody since 07.08.2015, deserves sympathetic consideration, to which the learned APP opposes.

In the facts and circumstances stated above, considering the detention of the petitioner, now, he 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 Additional Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with Kharik P.S. Case No. 163 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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