

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23808 of 2016

Arising Out of PS.Case No. -996 Year- 2015 Thana -SAHARSA District- SAHARSA

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Laltush Chaudhary, son of Late Vishwanath Chaudhary, Resident of Mohalla- Hatiyagachhi, Ward No. 32, Police Station- Saharsa, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Adv.

For the Opposite Party/s : Mr. Braj Kushore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 26-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Saharsa P.S. Case No.996 of 2015, registered for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

Allegation has been made that there was a theft in the house of the informant; all valuable articles including cash have stolen away by thief.

Learned counsel for the petitioner submits that the name of the petitioner has come during investigation, but no incriminating materials have been recovered from the possession of the petitioner.

The Court below has also recorded in the impugned order that the petitioner has confessed his involvement in earlier theft cases. The petitioner is in jail since 20.2.2016.

Looking to the period of custody, let the petitioner- Laltush Choudhary be released on bail on furnishing bail bonds of Rs.10, 000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Saharsa P.S. Case No.996 of 2016, subject to the conditions that:-

- (i) one of the bailors will be a close relative of the petitioner i.e. mother/father/ wife/son of the petitioner;
- (ii) if the petitioner is found involved in similar type of case in future, the prosecution will be at liberty to make prayer for cancellation of his bail and the Court below will pass necessary order, including cancellation of bail and;
- (iii) that the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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