

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8589 of 2016

Arising Out of PS.Case No. -181 Year- 2014 Thana -HUSAINGANJ District- SIWAN

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1. Dipak Bhagat son of Suresh Bhagat resident of Village : Laxmipur, P.S. :
Siwan Town, District : Siwan..... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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

ORAL ORDER

3 20-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Husainganj
P.S. Case No. 181 of 2014 registered for the offence punishable
under Section 395 of the Indian Penal Code.

The petitioner is not named in the first information
report. It is submitted that the petitioner is in custody since
08.01.2016 but he has not been put on test identification parade,
nothing has been recovered from his conscious possession, during
investigation only it has come that the petitioner and other co-
accused were going with motorcycle speedily and Rishu Kumar
whose name has also been taken vide paragraph 18 of the case
diary has already been allowed bail by another co-ordinate Bench
of this Court vide Cr. Misc. No. 45023 of 2014 and as such the
petitioner also deserves sympathetic consideration to which

learned APP submits that Rishu Kumar @ Rishu Singh has confessed his guilt but he has already been allowed bail.

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, Siwan in connection with Hussainganj P.S. Case No. 181 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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