

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10095 of 2016

Arising Out of PS.Case No. -22 Year- 2015 Thana -RAUTARA District- KATIHAR

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1. Md. Mubarak S/o Sk. Naimuddin, R/O- Narayanpur, P.S.- Manihari,
Distt. Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

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

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

3 12-04-2016 Heard the learned counsel for the petitioner and

the learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Rautara P.S. Case No. 22 of 2015 registered for the offence
punishable under Section 392 of the Indian Penal Code.

The petitioner is not named in the First
Information Report and as submitted his name transpires in the
confessional statement of co-accused Md. Islam and thereafter,
the petitioner has been remanded in this case and he is in
custody since 15.12.2015. It is also submitted that the petitioner
has not been put on T.I.P and nothing has been recovered from
possession of the petitioner and, as such, he deserves
sympathetic consideration, to which the learned APP opposes

the prayer of bail by submitting that the petitioner has confessed his guilt and he has got criminal antecedent.

In the facts and circumstances stated above, considering that charge-sheet has already been submitted and there is no chance of tampering with the prosecution case and, as such, 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, Katihar in connection with Rautara P.S. Case No. 22 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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