

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15475 of 2016

Arising Out of PS.Case No. -107 Year- 2012 Thana -SAHIYARA District- SITAMARHI

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1. Rakesh Das Son of Late Dukha Das, Resident of Village - Matiyar Khurd, P.S. - Sahiara, District - Sitamarhi.	 Petitioner/s
Versus	

1. The State of Bihar	 Opposite Party/s
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Appearance :

For the Petitioner/s	: Mr. Virendra Kumar
For the Opposite Party/s	: Mr. A.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 21-06-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Sahiara P.S. Case No. 107 of 2012, S.Tr. No. 531 of 2014 registered for the offences punishable under Sections 395 and 412 of the Indian Penal Code.

Allegedly, six un-known miscreants snatched amount of Rs. 10,600/-, mobile and Hero Honda Splendor motorcycle of the informant. During investigation, the name of the petitioner transpired in the confessional statement of co-accused Ashok Sahni.

Submission is of false implication and that nothing has been recovered from possession of the petitioner, in this case similarly situated co-accused, namely, Ganesh Kumar and Sanjit Sahni have been allowed bail by different Benches of this Court and besides confessional statement, there is nothing against the

petitioner. The petitioner without any tangible material is suffering in custody since 19.02.2014 and there is no chance of tampering with the prosecution evidence.

The learned APP fairly submits that co-accused Sanjit Sahni has been allowed bail.

Learned A.P.P. is not in a position to distinguish the case of the petitioner.

In the facts and circumstances stated above, the petitioner, above named, is also 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 Sri. A.K. Dubey, learned A.D.J. 1st, Sitamarhi in connection with Sahiara P.S. Case No. 107 of 2012 (S.Tr. No. 531 of 2014) subject to the conditions that one of the bailors must be 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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