

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22931 of 2016

Arising Out of PS.Case No. -7 Year- 2015 Thana -KUCHILA District- BHABHUA (KAIMUR)

1. Rakesh Musahar, son of Jhagru Musahar, village- Binpurwa P.S.-
Ramgarh, District-Kaimur. Petitioner

Versus

1. The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Sucheta Yadav(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 13-07-2016

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

The petitioner seeks bail in connection with Kuchhila
P.S. Case No. 07 of 2015 registered for the offence punishable
under Section 394 of the Indian Penal Code.

First Information Report is against four unknown and
during investigation name of the petitioner transpires in the
confessional statement of co-accused and further the petitioner has
got criminal antecedent which has been disclosed in the
supplementary affidavit.

Submission is of false implication and that the petitioner
is in custody since 12.01.2016 but he has not been put on test
identification parade, nothing has been recovered from his
possession, other similarly situated co-accused have been allowed
bail vide annexure-2 series and as such the petitioner also deserves

sympathetic consideration.

Learned APP fairly submits that other co-accused have 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, Kaimur at Bhabua in connection with Kuchhila P.S. Case No. 07 o 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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