

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46029 of 2015

Arising Out of PS.Case No. -55 Year- 2014 Thana -CHANAN District- BANKA

Suresh Sah, S/o Bindeshwari Sah, R/o Village- Bara, P.S.- Belhar, District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-01-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Chandan P.S. Case No. 55 of 2014 registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code.

The petitioner wants to renew the prayer for bail, which was earlier rejected vide order dated 13.04.2015 passed in Cr. Misc. No. 45967 of 2014, on the ground that the petitioner is not named in the F.I.R., he has not been put on T.I.P, he has not been identified by anyone, there is no seizure list in the case diary regarding recovery of the looted articles of this case, the petitioner was apprehended in another case, wherein he is on bail. The articles recovered have also not been put on T.I.P. and as such the

petitioner deserves sympathetic consideration.

The learned A.P.P. after going through the case diary fairly submits that no T.I.P. has been conducted in this case.

In the facts and circumstances stated above and considering the detention of the petitioner and further the chargesheet has also been submitted and there is no chance of tampering with the prosecution evidence, the petitioner Suresh Sah is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Chandan P.S. Case No. 55 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.

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(Jitendra Mohan Sharma, J)

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