

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46981 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -SISWAN District- SIWAN

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Md. Jamshed Alam @ Chhotu, S/o Md. Tauhid Alam, Resident of Village Soratha, P.S- Dhaka, District -East Champaran (Motihari).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramakant Yadav

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

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 16-02-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Siswan P.S. Case No. 41 of 2015, registered under Section 461 and 379 of the Indian Penal Code.

The prosecution case is that in the night of 03.04.2015 unknown miscreants committed theft of two set of Computer, 150 pieces of mobile sets, 100 pieces of Charger, 50 pieces of memory cards, recharge coupon worth of Rs. 40,000/- and cash of Rs. 8,700/- from the shop of the informant.

Learned counsel appearing on behalf of the petitioner submits that, in fact, petitioner is not named in the F.I.R. and in course of investigation, the name of the petitioner has been

disclosed by co-accused Ashok Kumar Gupta and on search 35 mobile sets are said to be recovered from the house of petitioner. It is further submitted that petitioner has no criminal antecedent and he is in custody since 20.04.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri D.N. Bhardwaj, Judicial Magistrate, 1st Class, Siwan, in connection with Siswan P.S. Case No. 41 of 2015. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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