

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48238 of 2015

Arising Out of PS.Case No. -318 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Diwakar Yadav son of Radha Yadav resident of village - Fajilpur (Danda Bazar) P.S. Goradih, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-01-2016 Heard learned counsel for the petitioner as well as learned A.P.P. for the State.

The petitioner seeks bail in connection with Kotwali (Adampur) P.S. Case No. 318/2015 registered for the offences punishable under Sections 395, 397, 412 of the Indian Penal Code and 3/4 of Explosive Substance Act.

The petitioner is not named in the FIR, and it is a case of Bank dacoity of Gramin Bank, Ghantaghar, Bhagalpur wherein amount of Rs. 49,10,372/- was looted away by the miscreants.

Submission is of false implication, the name of the petitioner has transpired in confessional statement of co-accused Satan Yadav, nothing has been recovered from possession of the

petitioner or from his house, he has not been put on TIP, in this case other co-accused namely, Bipin Yadav, Rajendra Kumar Pal and Ruchi Kumari have been allowed bail and as such the petitioner who is suffering in custody since 07.08.2015 also deserves sympathetic consideration.

Learned A.P.P., after going through the case diary, fairly submits that the name of the petitioner has come in the confessional statement of co-accused.

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, Bhagalpur in connection with Kotwali (Adampur) P.S. Case No. 318/2015, 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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