

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48312 of 2015

Arising Out of PS.Case No. -23 Year- 2015 Thana -THAWE District- GOPALGANJ

=====

Ahmad Ali son of Samsuddin Resident of village - Chaurawn, P.S. -
Gopalganj, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Smt. Anuradha Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Thawe
P.S. Case No. 23 of 2015 registered for the offence punishable
under Section 395 of the Indian Penal Code.

Allegedly six motorcycle borne criminals snatched bag
containing cash of Rs. 2,05,570/- and further snatched mobile and
purse of the informant and thereafter fled away.

Submission is of false implication and that the
petitioner is not named in the F.I.R. He is suffering in custody
since 07.07.2015, he has not been put on T.I.P., and no
incriminating article has been recovered from his possession,
earlier he was arrested on 31.05.2015 and has been implicated

falsely in Thawe P.S. Case No. 56 of 2015 and thereafter has been remanded in this case. The confessional statement of co-accused has got no evidentiary value in the eye of law.

The learned A.P.P. after going through the case diary fairly submits that the petitioner has also confessed his guilt and he was arrested with fire arm.

In the facts and circumstances stated above, considering that the petitioner has not been put on T.I.P. and nothing has been recovered from his possession and, as such, 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 C.J.M., Gopalganj arising out of Thawe P.S. Case No. 23 of 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)

sushma/-

U		T	
---	--	---	--