

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50913 of 2015

Arising Out of PS.Case No. -123 Year- 2015 Thana -BAKHTIYARPUR District- PATNA

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Kaushal Kumar @ Kaushal Yadav Son of Late Yogendra Prasad Resident
of Village - Madhopur, Police Station - Bakhtiyarpur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Shakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Bakhtiarpur P.S. Case No. 123 of 2015 registered for the offence
punishable under Section 392 of the Indian Penal Code.

Allegedly, three miscreants after covering their faces
came one by one and after assaulting the informant at the point of
pistol, took away amount of Rs. 15,000/- to 20,000/- from the
shop. During investigation, the name of the petitioner transpires
that he used to come at the shop for taking articles on credit which
was refused sometimes and for that he might have committed the
crime and further one witness saw him fleeing away.

Submission is of false implication and that besides

suspicion, there is nothing against the petitioner, he is suffering in custody since 07.06.2015, he has not been put on TIP, nothing has been recovered from his possession and, as such, he deserves sympathetic consideration to which the learned APP fairy submits that only it has come that the petitioner was seen fleeing away after the occurrence.

In the facts and circumstances stated above, considering the detention of the petitioner now, he 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 Additional Chief Judicial Magistrate, Barh, District Patna arising out of Bakhtiarpur P.S. Case No. 123 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)

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