

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53742 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -ASARGANJ District- MUNGER

Bambam Kumar Tanti Son of Radhe Tanti Resident of village - Kenhat,
P.S. Lakshmipur, Distt. - Jamui Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan

For the Opposite Party/s : Mr. Bharat Bhushan (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 18-01-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Asarganj P.S.
Case No. 52 of 2015 registered for the offence under Section 395 of the
Indian Penal Code.

Allegedly, four motorcycles borne criminals came at the
shop of the informant and demanded wine and when the informant was
taking out the wine, they entered into the shop and at the point of pistol
took out Rs 25,000/- from the cash counter and after opening fire
started fleeing away riding on the motorcycle but due to assemblance of
nearby persons, the petitioner was caught with motorcycle and he stated
the names of other co-accused and further two bottles of English wine
were recovered besides one magazine containing five live cartridges.

Submission is of false implication and that recovery of
two bottles of wine has been shown only with oblique motive though in
previous paragraph there is no such allegation, the petitioner was made

victim of circumstances, no firearm was recovered and recovery of magazine and cartridges is simply a plantation, the petitioner has got no criminal antecedent and he is suffering in custody since 14.07.2015.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention of the petitioner and further that he has got no criminal antecedent, 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 Sri Amit Kumar Sharma, Judicial Magistrate 1st Class, Munger in connection with Asarganj P.S. Case No. 52 of 2015, subject to the conditions that one of the bailors must be a 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)

avin/-Siddharth

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