

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57853 of 2015

Arising Out of PS.Case No. -955 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Ekraj Alam Son of Md. Nasir Alam Resident of Mohalla- Nakchhed tola,
P.s town Motihari, District East Champaran.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 30-01-2016 Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Trial No.
735 of 2015 arising out of Motihari Town P.S. Case No. 955 of
2014 registered for the offences punishable under Sections 457,
380 and 411 of the Indian Penal Code.

Allegedly, in the house of the informant theft was
committed and his laptop, bicycle, Gas cylinder, clothes and cash
of Rs. 60,000/- as also ornaments were stolen away. During
investigation recovery was made from the house of the petitioner
and for that Motihari Town P.S. Case No. 154 of 2015 was
registered and accordingly on the basis of his confessional
statement he has been remanded in this case also.

Submission is of false implication and that the house

is not the exclusive property of the petitioner rather it is the joint property, the police has recorded the confessional statement of the petitioner after adopting third degree method and as such petitioner who is suffering in custody since.28.4.2015 deserves sympathetic consideration as in Town P.S. Case No. 154 of 2015 the petitioner has already been allowed bail.

Learned A.P.P. submits that some of the stolen articles have been recovered from the house of the petitioner.

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 Sri M. K. Shahi, Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 154 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)

siddharth/-

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