

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57786 of 2015

Arising Out of PS.Case No. -362 Year- 2014 Thana -GARDANIBAGH District- PATNA

1. Vikash Kumar son of Late Mukhtar Singh resident of V P O Ranipur,
P.S. Paliganj, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh
Mr. Sada Nand Roy

For the Opposite Party/s : Mr. M. Rab (App)

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
Gardanibagh, P.S. Case No. 362 of 2014 registered for the
offences punishable under Sections 457/380 of the Indian Penal
Code.

Allegedly, in the flat of the informant theft was
committed and cash, ornaments and LED TV were stolen away.

Submission is of false implication and that the
petitioner is not named in the F.I.R. and during course of
investigation he has been remanded in this case on the basis of
confessional statement of co-accused Sonu Kumar and that Sonu
Kumar has already been allowed bail vide Criminal Misc. No.

44013 of 2015 and further, co-accused Suraj Kumar has also been allowed bail and as such the petitioner who is suffering in custody since 16.1.2015 also deserves sympathetic consideration as no stolen articles has been recovered from his possession.

Learned A.P.P. opposes prayer for bail by submitting that from the impugned order it reveals that the petitioner is habitual offender and he has got criminal antecedent.

In the facts and circumstances stated above, considering the period of detention of the petitioner, at this stage 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 Sri Manoj Kumar-V, Judicial Magistrate 1st Class, Patna in connection with Gardanibagh P.S. Case No. 362 of 2014, 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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