

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57819 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -NTPC District- PATNA

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1. Lalan Kumar son of Sita Ram Mahto resident of village - Reily English,
Bind Toli, p.s. - N.T.P.C. Barh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad

For the Opposite Party/s : Mr. Amit Kr. Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with N.T.P.C.
(Barh) P.S. Case No. 38 of 2015 registered for the offences
punishable under Sections 379, 414 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused were
caught by the informant and other security guards when they were
trying to take away aluminum plates from the premises of
N.T.P.C. Barh and from the place of occurrence one loaded
country made pistol was also recovered and further 100 kg.
aluminum plates were recovered.

Submission is of false implication and that the
petitioner has been made victim of circumstances, nothing has

been recovered from conscious possession of the petitioner, other co-accused have been allowed bail by the learned court below itself but the prayer of bail of the petitioner has been rejected on the ground that he has got criminal antecedent and the petitioner is suffering in custody since 03.09.2015.

Learned APP fairly submits that from conscious possession of the petitioner nothing has been recovered rather the recovery is from all.

In the facts and circumstances stated above, 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 Additional Chief Judicial Magistrate, Barh, Patna in connection with N.T.P.C. (Barh) P.S. Case No. 38 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)

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