

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37864 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -TARIYANI CHOWK District- SHEOHAR

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Raj Kishore Singh Son of Biltu Singh R/o Village- Gosainpur Bandobasti,
P.S.- Shyampur Bhattha, District- Sheohar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-09-2016

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

The petitioner seeks bail in connection with Tariyani P.S
Case No. 35 of 2016 registered for the offences punishable under
Section 363 and 364(A) of the Indian Penal Code.

Allegedly, the father of the informant being Branch
Manager of North Bihar Gramin Bank, Branch Brindawan has gone to
the branch on 19.03.2016, but he could not returned by late night. He
consulted Manoj Kumar, who informed him that his father left his
office at about 4:25 P.M. by motorcycle, he has tried to contact his
father on mobile, but was switched off. During investigation the victim
has given his statement recorded under section 164 of Cr.P.C. but has
not named the petitioner and petitioner has been made accused on the
basis of confessional statement made before the police.

Submission is of false implication and that there is no material against the petitioner, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence. The petitioner is in custody since 03.04.2016. He has not been named in the F.I.R., co-accused Mukesh Kumar Singh and Kundan Kumar Singh have been allowed bail by another co-ordinate Bench of this Court and, as such, he deserves sympathetic consideration.

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

In the facts and circumstances stated above, considering the detention of the petitioner and further that there is no chance of tampering with the prosecution evidence and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned District and Sessions Judge, Sheohar, in connection with Tariyani P.S. Case No. 35 of 2016 (S.Tr No. 118 of 2016), 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.)

Rajiv/-

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