

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37975 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -BIHARIGANJ District- MADHEPURA

Ashish Jha, son of Binodanand Jha, resident of Village- Khara, P.S.- Uda Kishunganj, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Amarnath Jha, Advocate

For the Opposite Party : Mr. Md. Anzarul Haque Sahara (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-09-2016 Heard learned counsel for the petitioner and the learned counsel representing the State.

The petitioner seeks bail in connection with Bihariganj P.S Case No. 53 of 2015 registered for the offences punishable under Sections 392, 394 of the Indian Penal Code and Section 27 of Arms Act.

Allegedly, the petitioner is not named in the F.I.R., nothing has been recovered from the conscious possession of the petitioner, name of the petitioner transpired in this case in his confessional statement, looted motorcycle was recovered near the Pipal tree. Save and except the confessional statement of the petitioner there appears no tangible material. Other co-accused Gauri Yadav @ Gauri Shankar Yadav and Bittu Kumar Singh

have been allowed bail by another co-ordinate Bench of this Court vide Anneuxre-2 series.

In the facts and circumstances stated above, 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 the learned Judicial Magistrate 1st Class, Udakishunganj, District- Madhepura, arising out of Bihariganj P.S. Case No. 53 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.)

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