

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38085 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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Ajit Kumar, Son of Dukhan Mahato, Resident of Village- Mansa Bigha (Billi Bag) P.S. Tandwa, District Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Santosh Kumar Pandey, Advocate

For the Opposite Party : Mr. Sri Narsingh Tanti (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 26-09-2016

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

The petitioner seeks bail in connection with Aurangabad Muffasil P.S Case No. 100 of 2016 registered for the offences punishable under Sections 399, 402, 414, 420 of the Indian Penal Code and Section 25 (1-b)a/26/35 of Arms Act.

Allegedly, the police on a tip-off that miscreants are making plan to commit loot of vehicles reached at the turning of G.T. Road at village Manjurahi where some miscreants were seen in suspicious condition. Four persons namely Santosh Kumar, Ujjwal Kumar, the petitioner and Shubham Kumar were apprehended but others succeeded in fleeing away. From the possession of the petitioner, two mobiles were recovered.

Submission is of false implication and that no incriminating articles have been recovered from the possession of

the petitioner, he has implicated in this case merely on suspicion. Petitioner has got no criminal antecedent and he is in custody since 03.06.2016. Similarly situated co-accused Shubham Kumar Gupta @ Subham Kumar Gupta has already been allowed bail vide Cr. Misc. No. 34120 of 2016 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that co-accused has been allowed bail.

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 Chief Judicial Magistrate, Aurangabad, arising out of Aurangabad Muffasil P.S. Case No. 100 of 2016, 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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