

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3944 of 2016

Arising Out of PS.Case No. -137 Year- 2015 Thana -AMAS District- GAYA

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Raj Kumar Gupta @ Raj Kumar Sao Son of Ajay Sao Resident of village -
Chandi Asthan, P.S. Amas, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar

For the Opposite Party/s : Mr. Sahin Begum(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 15-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Amas P.S.
Case No. 137 of 2015 registered for the offences punishable under
Sections 457, 380 of the Indian Penal Code.

Allegedly, with aid and assistance of the petitioner and
co-accused Ranjeet Kumar theft was committed in the house of
the informant and laptop, ornaments worth Rs. 1,00,000/- cash of
Rs. 10,000/- and one mobile having SIM of Airtel and Idea were
stolen away.

Submission is of false implication and that due to
previous enmity, the petitioner has been named in this case, the
entire story narrated in the F.I.R. is false and fabricated, the
recovery of mobile as shown is of the petitioner and not is the

stolen one, the police after adopting third degree method has got recorded confessional statement of the petitioner which has got no evidentiary value in the eye of law, petitioner is suffering in custody since 15.10.2015, deserves sympathetic consideration.

The learned A.P.P. submits that from the seizure list it reveals that the stolen mobile was recovered from possession of the petitioner.

In the facts and circumstances stated above, considering the detention of the petitioner 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 Learned Judicial Magistrate, 1st Class, Sherghati, Distt. Gaya in connection with Amas P.S. Case No. 137 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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