

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6270 of 2016

Arising Out of PS.Case No. -268 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

1. Alam Son of Late Abdul Khalik, resident of Village- Baldiya Bhasha,
Police Station- Gawal Pokhar in the district of Uttar Dinajpur (W.B.)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Satyendra Prasad(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-05-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 395 of the I.P.C

Allegedly, five unknown miscreants have committed
dacoity in the house of the informant. During investigation the
name of the petitioner transpires along with co-accused Mofejul
Haque and others and accordingly the petitioner and others were
apprehended and they confessed their guilt and further from the
house of the petitioner some incriminating articles were recovered.

Submission is of false implication and that no looted
article has been recovered from the house of the petitioner, the
description of the looted articles have been given in paragraph-12
of the case diary which does not tally with those recovered articles

from the house of the petitioner, the petitioner has not been put on the test identification parade and co-accused Mofejul Haque has already been allowed bail vide Cr. Misc. No. 53800 of 2015 by another coordinate Bench of this Court and the petitioner is suffering in custody since 14.08.2015.

The learned A.P.P. submits that the petitioner is accused in one more case for the offences under sections 457 and 380 of the I.P.C.

In the facts and circumstances as stated above, the petitioner is also directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Kishanganj in Kishanganj P.S. Case No. 268 of 2015/ G.R. No. 1210 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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