

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5735 of 2016

Arising Out of PS.Case No. -162 Year- 2015 Thana -MARAUNA District- SUPAUL

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Yadunandan Paswan @ Chhotelal Paswan son of Late Ramlagan Paswan,
resident of Village- Ratho, P.S. Marauna, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 17-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Marouna
P.S. Case No. 162 of 2015 registered for the offences punishable
under Sections 461 and 379 of the Indian Penal Code.

Allegedly, the petitioner took drink with the informant
in his shop and when the informant slept then the petitioner
committed theft after making hole in the wall and took away cash
of Rs. 70,000/-, ornaments, utensils and clothes.

Submission is of false implication and that the
informant has not seen the petitioner committing theft only on
suspicion he has been made accused, only one *khurpi* has been
recovered from the house of the petitioner which is a house hold

article, no theft article has been recovered either from his house or from his conscious possession and, as such, the petitioner who is suffering in custody since 18.11.2015, deserves sympathetic consideration.

The learned A.P.P. submits that now lenient view may be taken.

In the facts and circumstances stated above, the petitioner, above named, 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 Sri. Sukul Ram, Judicial Magistrate, 1st Class, Supaul, Distt. Supaul in connection with P.S. Case No. 162 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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