

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11248 of 2016

Arising Out of PS.Case No. -23 Year- 2015 Thana -TANDWA District- AURANGABAD

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1. Bablu Tewari @ Baba @ Bablu Tiwari S/o Surendra Tiwari resident of village - Bani Kala, Tiwari Bigha, P.S. Husainabad, District - Palamu (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-04-2016 Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Tandwa P.S. Case No. 23 of 2015 registered for the offences punishable under Section 395 of the Indian Penal Code.

Allegedly, five armed miscreants after entering into Punjab National Bank, Tandwa branch, committed dacoity and during investigation, the name of the petitioner transpires in confessional statement of co-accused.

Submission is of false implication and that the petitioner is in custody since 27.12.2015 but he has not been put on T.I.P. and nothing has been recovered from his conscious

possession. Other co-accused Mintu Hussain, Danvir Singh and Karan Kumar have already been allowed bail by different Benches of this Court and, as such, the petitioner also deserves sympathetic consideration as charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, to which the learned APP opposes.

In the facts and circumstances stated above, the petitioner, above named, is also 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 Chief Judicial Magistrate, Aurangabad in connection with Tandwa P.S. Case No. 23 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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