

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15158 of 2016

Arising Out of PS.Case No. -331 Year- 2014 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

=====

Bablu Dubey @ Mithilesh Dubey son of Late Maheshwar Dubey resident of
village - Siswa Khadar, P.S. - Kalyanpur, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Zainul Abedin(App)

=====

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

3 19-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Chhatauni P.S. Case No.331 of 2014 registered for the offences
punishable under Sections 302, 307, 34 of the Indian Penal Code,
Section 27 of the Arms Act.

The petitioner is not named in the first information
report. From perusal of the impugned order it reveals that the
name of the petitioner transpires in the confessional statement of
co-accused Abhishek Kumar, and further on earlier co-accused
Bhola Kumar has also confessed his guilt.

Submission is of false implication and that

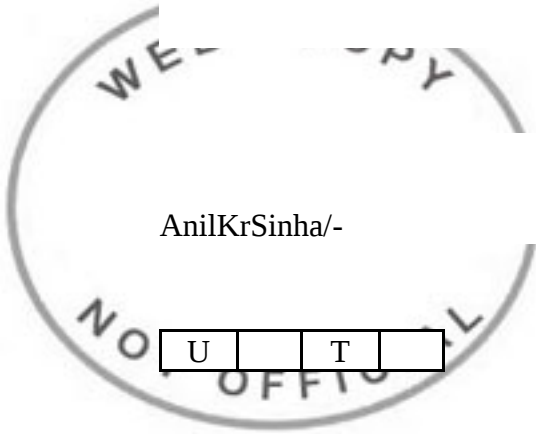


F.I.R.named accused Brajesh Mishra has already been allowed pre-arrest bail vide Cr.Misc.No.34869 of 2015 by another coordinate Bench of this Court and further Abhishek Kumar Singh @ Abhishek Kumar Singh and Bhola Kumar have also been allowed regular bail by another coordinate Bench of this Court and further co-accused Ram Singh @ Vijay Singh has also been allowed regular bail and the petitioner only on the ground that he has criminal antecedent is suffering in custody since 17.3.2015.

Learned A.P.P. opposes the prayer for bail but fairly submits that there is confessional statement of co-accused and criminal antecedent against the petitioner.

In the facts and circumstances stated above, the petitioner above named is 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 the Learned 9th Additional Sessions Judge, East Champaran at Motihari in Sessions Trial No.42 of 2016 arising out of Chhatauni P.S. Case No.331 of 2014, 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)

U		T	
---	--	---	--