

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21993 of 2016

Arising Out of PS.Case No. -178 Year- 2014 Thana -CHHATAPUR District- SUPAUL

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1. Rupesh Kumar @ Rupesh Yadav Son of Shri Deep Narayan Yadav
Resident of village - Tamua, Tola - Nasa, P.S. Chattapur, District - Supaul
.. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Madhura Nand Jha, (App)

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

ORAL ORDER

2 23-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Chhatapur
P.S. Case No. 178 of 2014 registered for the offence punishable
under Section 394 of the Indian Penal Code.

First Information Report is lodged against son of Dipu
Yadav along with two unknown with allegation that they snatched
Rs. 18,000/- which was withdrawn by the informant from Punjab
National Bank, Kamua after assaulting the informant and his wife.
During investigation co-accused and the petitioner were
apprehended and co-accused Amardeep confessed his guilt and
stated the name of the petitioner also.

Submission is of false implication and that the petitioner
is in custody since 10.03.2016 but he has not been put on test

identification parade, the petitioner has got two brothers more but as to who was identified is not clear, nothing has been recovered from possession of the petitioner, co-accused Amardeep Ram has already been allowed bail and as such the petitioner deserves sympathetic consideration to which learned APP submits that the petitioner is named in the first information report.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Sub-Divisional Judicial Magistrate, Supaul in connection with Chattapur P.S. Case No. 178 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)

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