

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22208 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -TATARPUR District- BHAGALPUR

1. Ashish Kumar @ Sakho Das S/o Ashutosh Anand @ Kailash Das
Resident of village - Jankipur, Police Station - Amarpur, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 05-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Tatarpur
P.S. Case No. 14 of 2016 registered for the offences punishable
under Sections 399, 402 and 412 of the Indian Penal Code and
Sections 25(1-b)a, 26/35 of the Arms Act.

Allegedly, acting on an information that some
miscreants being armed have assembled in Scorpio vehicle near
SBI ATM for committing dacoity, raid was conducted and one
person started fleeing away but others were apprehended including
the petitioner and from the vehicle several stolen articles, as per
seizure list, were recovered and from possession of other co-
accused also arms and other incriminating articles were recovered.

Submission is of false implication and that from possession of the petitioner nothing has been recovered, the petitioner out of fear has given his name and father's name wrongly as a matter of fact his real name is Sako Das and father's name is Kailash Das, without any fault the petitioner is suffering in custody since 22.01.2016.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has got criminal antecedent and in the vehicle there were several stolen articles and further all the accused persons have confessed their guilt. In para 32 of the case diary it has come that the petitioner has given his wrong name and also wrong name of his father.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of six months in custody from the date of his remand** 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 ACJM 7th, Bhagalpur in connection with Tatarpur P.S. Case No. 14 of 2016 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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