

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49411 of 2015

Arising Out of PS.Case No. -113 Year- 2015 Thana -DHAMDHAHA District- PURNIA

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1. Kundan Kumar Mehta S/o Upendra Mehata Resident of village -
Damagara, P.S. Dhamdaha, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Kumar Shekhar

For the Opposite Party/s : Mr. Binod Kumar 3 (App)

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

3 23-02-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 392 of the I.P.C

Allegedly, four unknown miscreants snatched cash of
Rs. 2,00,000/- and one Spice Mobile and further snatched two
Samsung Mobiles and cash of Rs. 7,000/- from other passer by
Md. Jiyauddin and thereafter fled away with the motorcycle of
Md. Jiyauddin. During investigation the name of the petitioner
transpires in the confessional statement of co-accused Rajiv
Kumar Rai.

Submission is of false implication and that the
petitioner is in custody since 08.05.2015 but he has not been put

on the test identification parade, nothing has been recovered from his conscious possession, co-accused Rajiv Kumar Rai has already been allowed bail vide Cr. Misc. No. 46083 of 2015 and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioner is also 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 C.J.M. Purnea in Dhamdaha P.S. Case No. 113 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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