

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51877 of 2015

Arising Out of PS.Case No. -158 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Shyambabu Kumar Sah, son of Late Ramsingar Sah, resident of Village-
Ghorasaran, Jagdamba Nagar, P.S.- Ghorasaran, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 04-05-2016 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 offences
punishable under sections 461 and 379 of the I.P.C

Allegedly, unknown thief committed theft of mobiles
and other articles from the shop of the informant after cutting
shutter. During investigation the name of the petitioner transpires
as suspect and further the informant in his re-statement and the
witness Rajesh Kumar Saraf have taken the name of the petitioner
and the petitioner has confessed his guilt also

Submission is of false implication and that the
petitioner has been implicated by the informant and other

witnesses after long lapse of time, the confessional statement of the petitioner has got no evidentiary value in the eye of law, nothing has been recovered from conscious possession of the petitioner and without any legal and tangible material the petitioner is suffering in custody since 29.09.2015.

The learned A.P.P. fairly submits that nothing has been recovered from possession of the petitioner and the charge sheet has already been submitted.

In the facts and circumstances as stated above, the petitioner 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 S.D.J.M. Raxaul at Motihari in Raxaul P.S. Case No. 158 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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