

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42867 of 2016

Arising Out of PS.Case No. -415 Year- 2016 Thana -SITAMARHI District- SITAMARHI

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Kamlesh Kumar Son of Jagdish Paswan R/o Village- Sugga, P.S. Jaleswar,
District Mahottari (Nepal). Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate

For the State : Mr. Sri Shailendra Kumar Singh, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 18-10-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under Sections 414/34 of the Indian Penal Code.

It is contended on behalf of the petitioner that he has been implicated on the basis of confessional statement made by the accused who was apprehended on spot. However, though there has been recovery of motorcycles from different places but there is no recovery either from the possession of the petitioner or from his house. Petitioner is said to be in custody since 28.6.2016. It is submitted that till the day he was implicated in the present case, petitioner's antecedent was clean but after his arrest he was remanded in five cases, therefore, it is contended that all the subsequent acts are afterthought.

Having regard to the facts and circumstances of the case, the above named petitioner is directed to be released on bail on his

furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Sitamarhi P.S. Case No. 415 of 2016 with a further condition that one of the bailors of the petitioner must be a close relative or family member of the petitioner, who is resident of district Sitamarhi and who shall file affidavit before the concerned court giving complete genealogy to show his or her relationship with the petitioner.

That apart, in view of the antecedents of the petitioner, he would be required to appear before the Superintendent of Police, Siwan within fifteen days of his release with a copy of this order and every two weeks thereafter for the next six months. The conduct of the petitioner will be kept under watch during the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police upon his appearance.

(Dr. Ravi Ranjan, J)

Spd/-

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