

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37789 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -SUPAUL District- SUPAUL

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Mithilesh Yadav, Son of Ram Sharan Yadav, resident of village -
Ratanpura, P.S. Kishanpur, District Supaul

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Mishra

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner and the learned
counsel representing the State.

The petitioner seeks bail in connection with Supaul P.S
Case No. 61 of 2016 registered for the offences punishable under
Section 392 of the Indian Penal Code

Allegedly, three unknown motorcycle borne miscreants
looted cash of Rs. 9,000/-, Passbook, ATM Card, Driving License and
PAN card etc. from the informant and fled away. During investigation,
the name of the petitioner transpires in the confessional statement of co-
accused Nandan Kuamr and from possession of Nandan Kumar, some
stolen articles have also been recovered.

Submission is of false implication and that the petitioner
is in custody since 10.06.2016, chargesheet has also been submitted and
there is no chance of tampering with the prosecution evidence. The

petitioner is not named in the F.I.R. and his name has come in the confessional statement of co-accused. He has not been put on T.I.P. and nothing has been recovered from conscious possession of the petitioner. Co-accused Rajeev Yadav @ Rajeev Kuamr Yadav @ Rajiv Kuamr has been allowed bail vide Cr. Misc. No. 29507 of 2016 dated 05.09.2016 by another co-ordinate Bench of this Court.

Learned A.P.P. opposes the prayer of bail

In the facts and circumstances stated above, the petitioner shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief judicial Magistrate, Supaul, in connection with Supaul P.S. Case No. 61 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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