

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42036 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -BHAWANIPUR District- PURNIA

Mithun Kumar @ Mithun Mandal, Son of Late Jaidu Mandal @ Gaidu Mandal Resident of Village-Gorhiyari Tola, Bhawanipur, Police Station-Bhawanipur in the district of Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Raj Kumar, Advocate

For the Opposite Party : Mr. Smt. Anita Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-10-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

Petitioner seeks bail in connection with Bhawanipur P.S. case no. 64 of 2016 registered for the offence punishable under Sections 457, 380 of the Indian Penal Code.

The F.I.R. is against unknown. The petitioner has been apprehended in this case on the basis of his confessional statement and further one laptop and one mobile phone set were recovered from his house which has been kept in a broken box.

Submission is of false implication, he has been implicated in this case due to caste struggle in the locality, the box from which alleged stolen laptop and mobile phone were recovered has not been seized by the police. Neither, the petitioner

has been named in the FIR nor he has been apprehended at the spot and without any fault, the petitioner is suffering in custody since 15.04.2016 i.e. for more than six months.

The learned A.P.P. fairly submits that considering the detention of the petitioner, lenient view may be taken.

In the facts and circumstances stated above considering the detention of the petitioner and further that there is no chance of tampering with prosecution evidence and as such, the petitioner abovenamed is directed to be released on bail on execution of bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sri Mithlesh Kumar, J.M. 1st class, Purnea in connection with Bhawanipur P.S. case no. 64 of 2016 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 the privilege of bail.

(Jitendra Mohan Sharma, J.)

rinkee/-

U		T	
---	--	---	--