

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42627 of 2016

Arising Out of PS.Case No. -115 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Balmukund @ Balmukund Prasad @ Baila, Son of Sri Baleshwar Prasad,
Resident of Village- Karkain, P.S.- Ghoswari, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Braj Kishore Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offence punishable under Section 379 of the Indian Penal Code.

It is contended on behalf of the petitioner that the First Information Report was lodged against unknown. The petitioner has been implicated in this case on the basis of his self incriminating confessional statement. It is further contended that though the seizure list has been signed by three accused persons but the seizure list reflects that the recovery was from the place near the house of one Mukesh. It is urged that one of the three persons, who have signed the seizure list, namely, Amarendra Kumar has been granted bail by the court below itself. The petitioner has remained in jail custody in this case since

20.04.2016.

Considering the facts and circumstances of the case, the petitioner, above-named, 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No.115 of 2016, with a further condition that one of the bailors must be a close relative or family member of the petitioner who shall file affidavit before the concerned court giving complete genealogy to show his/her relationship with him.

If the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

That apart, in view of the antecedent of the petitioner, he would be required to appear before the Superintendent of Police, Nalanda at Bihar Sharif within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in 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 concerned upon his appearance.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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