

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4836 of 2016

Arising Out of PS.Case No. -375 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA

Bharat Yadav, son of Late Hareram Yadav, resident of Village- Rohiyar,
P.S.- Chautham Manshi, District- Khagaria Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 29-03-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Bakhtiyarpur P.S. Case No. 375 of 2015 registered for the offence punishable under Section 392 of the Indian Penal Code and later on Sections 395 and 412 of the Indian Penal Code have been added.

Allegedly, the petitioner is not named in the First Information Report but during investigation the witnesses stated the name of the petitioner and others regarding their involvement in the crime and further co-accused and the petitioner confessed their guilt also. From possession of the petitioner photo I.D. card of the informant, cash of Rs. 5,000/- and one mobile of Samsung company were recovered.

Submission is of false implication and that the recovered article is not the looted property, co-accused Fudur

Sharma and other co-accused have been allowed bail and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that besides the cash, I.D. Card of the informant was recovered from possession of the petitioner.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of nine months custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Saharsa in connection with Bakhtiyarpur P.S. Case No. 375 of 2015 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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