

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5838 of 2016**

Arising Out of PS.Case No. -329 Year- 2015 Thana -KOTWALI District- PATNA

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1. Tanik Kumar Son of Sri Ashok Ram, resident of Village- Jafarpur, P.S.-  
Barbigha, Distt- Sheikhpura.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhim Sen Prasad, Advocate

For the Opposite Party/s : Smt. Rita Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
**ORAL ORDER**

2      18-02-2016      Heard the learned counsel for the petitioner as well as the  
learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences  
punishable under Section 392 of the I.P.C.

The petitioner is not named in the First Information Report  
and on the basis of confessional statement of Rohit Kumar in  
Gardanibagh P.S. case No.285 of 2015 the name of the petitioner  
has transpired and further the petitioner has also confessed his  
guilt.

Submission is that besides the confessional statement of  
co-accused and the petitioner there is nothing against the  
petitioner, he is in custody since 7.9.2015 but he has not been put  
on Test Identification Parade and nothing has been recovered from

his conscious possession.

The learned A.P.P. fairly submits that from the impugned order it reveals that against the petitioner there is only confessional statement of co-accused and of the petitioner.

In the facts and circumstances stated above, the petitioner above named 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 the learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No.329 of 2015, 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 privilege of bail.

**(Jitendra Mohan Sharma, J)**

Narendra/-

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