

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11546 of 2016

Arising Out of PS.Case No. -659 Year- 2015 Thana -ARARIA District- ARRARIA
=====

1. Ashok Roy Son of Late Sant Lal Roy, Resident of Mohalla- Kali Tola,
Ward No. 03, P.S. & District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

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

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 29-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Araria P.S.
Case No. 659/15 registered for the offences punishable under
Sections 363, 346 and 369 of the Indian Penal Code and later on
Section 370(4) IPC has also been added.

The petitioner is not named in the First Information
Report. During investigation, F.I.R. named accused, Md.
Sahanwaz @ Md. Bholu was caught with an infant and he in his
confessional statement has stated the name of the petitioner,
besides the confessional statement of co-accused, there is no other
material against the petitioner.

The learned A.P.P. fairly submits that the name of the

petitioner has come in the confessional statement of F.I.R. named accused but some of the witnesses have stated that the petitioner was in search of a child.

In the facts and circumstances stated above, considering that the petitioner is in custody since 30.12.2015 and also chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 CJM, Araria in connection with Araria P.S. Case No. 659 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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