

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21005 of 2016

Arising Out of PS.Case No. -181 Year- 2015 Thana -MAUZAHDIPUR District- BHAGALPUR

1. Rohit Das, Son of Subodh Das, Resident of Village- Jarlahi, Police
Station- Mojahidpur, District- Bhagalpur..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey

For the Opposite Party/s : Mr. Rajendra Singh Shastri (App)

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

ORAL ORDER

4 30-06-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Mojahidpur
P.S. Case No. 181 of 2015 registered for the offences punishable
under Sections 457 and 380 of the Indian Penal Code.

The petitioner is not named in the first information
report which is against unknown. During investigation name of the
petitioner transpires and on the basis of his confessional statement
stolen articles were recovered from his house as well as from the
house of another co-accused which were identified by the
informant.

Submission is of false implication and that only on
suspicion he has been remanded in this case, the confessional
statement made before the Police has got no evidentiary value in
the eye of law, without any fault the petitioner is suffering in

custody since 19.09.2015.

Learned APP opposes the prayer for bail by submitting that besides the recovery of stolen articles the petitioner has got criminal antecedent also.

In the facts and circumstances stated above, considering the period of custody and further that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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, Bhagalpur in connection with Mojahidpur P.S. Case No. 181 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.

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(Jitendra Mohan Sharma, J)

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