

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22186 of 2016

Arising Out of PS.Case No. -158 Year- 2015 Thana -GHANSHYAMPUR District- DARBHANGA

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Shiva Kant Roy S/o Late Sita Ram Roy R/o Village + P.O. + P.S. -
Ghanshyampur, District - Darbhanga.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh(App)

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

2 23-05-2016

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 sections 457 and 380 of the Indian Penal Code.

Allegedly, theft was committed in the quarter of the
informant, who was at the relevant time Circle Officer,
Ghanshyampur and during investigation, from the house of the
petitioner, stolen articles were recovered.

Submission is of false implication and that due to
village politics, the petitioner has been implicated, he has got no
criminal antecedent, as a matter of fact, no stolen article was
recovered from possession of the petitioner, no copy of seizure list
was given to the petitioner, there is no signature of the petitioner

on the alleged seizure list vide Annexure-2 and without any fault, the petitioner is suffering in custody since 18.8.2015.

Learned A.P.P., after going through Annexure-2, fairly submits that on the seizure list, there is no signature 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 Additional Chief Judicial Magistrate, Biraul, Darbhanga in connection with Ghanshyampur P.S. Case No.158 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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