

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58278 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -JHAJHA District- JAMUI

1. Jivlal Yadav @ Zibu Yadav Son of Gokhul Yadav Resident of Village -
Chiraiyadih, Police Station - Belhar, District - Banka.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Nityanand(App)

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

ORAL ORDER

3 19-02-2016

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

Petitioner seeks bail in connection with Jhajha P.S. Case
No. 85 of 2015 registered for the offence punishable under Section
395 of the Indian Penal Code.

The petitioner is not named in the first information report
but during investigation the name of the petitioner came in this
case on the basis of information furnished by spy of the Police and
thereafter, the petitioner and some others were arrested and one
mobile was recovered from possession of the petitioner and IMEI
number of that mobile matches with the looted mobile.

Submission is of false implication and that in this case
other co-accused Sanjay Pandit and Pankaj Yadav have already
been allowed bail vide Cr. Misc. No. 5286 of 2016 and 42884 of

2015 by another co-ordinate Benches of this Court and the petitioner is suffering in custody since 27.06.2015. The mobile recovered was found by the petitioner in abandoned condition which he has picked up and thereafter, he was apprehended and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of bail but fairly submits that considering the detention of the petitioner now lenient view can be taken.

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 Sub-Divisional Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 85 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)

avin/-

U		T	
---	--	---	--