

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22723 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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Kiran Kumar S/o Bhervi Singh Resident of village - Pakari, P.S. Belsar
(O.P.), District – Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

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

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

ORAL ORDER

2 26-05-2016 Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with Paroo
P.S. Case No. 26 of 2016 (G.R. No. 378 of 2016) registered for
the offences punishable under Sections 414, 419, 420, 167, 468
and 471 of the Indian Penal Code.

Allegedly, acting on a tip off, raid was conducted
and three persons were apprehended when they were trying to
speed away with Apache motorcycle from S.B.I. ATM booth and
on search from possession of the petitioner, one ATM of Punjab
National Bank was recovered whereas from possession of other
co-accused also some ATM cards were recovered.

Submission is of false implication and that without
any fault the petitioner is suffering in custody since 21.02.2016, he

has been made victim of the circumstances, no one has stated that the petitioner cheated any one and as such, he deserves sympathetic consideration to which the learned APP opposes by submitting that the petitioner and other co-accused have confessed their guilt and further no paper was produced regarding recovery of the ATM card from the possession of the petitioner.

In the facts and circumstances stated above, considering the detention of the petitioner, he is now 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 Judicial Magistrate 1st Class, Muzaffarpur in connection with Paroo P.S. Case No. 26 of 2016 (G.R. No. 378 of 2016), 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)

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