

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38318 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -MARAUNA District- SUPAUL

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Abhay Kumar @ Abhay Kumar Sah, Son of Shri Jinde lal Sah, Resident of
Village- Hulaspatti, P.S.- Ghoghardiha, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anuj Kumar, Advocate

For the Opposite Party : Mr. Smt. Sucheta Yadav (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-10-2016 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner seeks bail in connection with
Marouna P.S Case No. 79 of 2015 registered for the offences
punishable under Sections 384, 385 and 386 of the Indian Penal
Code.

Allegedly, the petitioner is not named in the F.I.R.,
he is not the owner of the mobile number which is given in the
First Information Report, the name of the petitioner has transpired
in the confessional statement of co-accused Ramashankar Kumar
and besides the confessional statement there is no other material
against the petitioner which is evident from the impugned order
itself, Ramashankar Kumar was caught at the spot and in his

confessional statement the name of the petitioner has transpired and Ramshankar Kumar is on bail and, as such, petitioner deserves also sympathetic consideration.

Learned A.P.P. fairly submits that save and except confessional there is nothing against the petitioner.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M.- 1st, Supaul, in connection with Marouna P.S. Case No. 79 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.)

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