

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42040 of 2016

Arising Out of PS.Case No. -332 Year- 2016 Thana -PHULWARI District- PATNA

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Raj Kumar @ Raju Kumar son of Bhutan Sao Resident of Village-
Bakhtiyarpur, P.S.- Bakhtiyarpur, District-Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party : Mr. Sri Nand Kumar (APP)

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

2 22-10-2016 Heard learned counsel for the petitioner and

learned A.P.P. representing the State.

Petitioner seeks bail in connection with

Phulwarisharif P.S. case no. 332 of 2016 registered for the offence

punishable under Sections 457, 380 of the Indian Penal Code.

Allegedly, four persons were apprehended by the

police when they were distributing the stolen articles and from

possession of the petitioner, one Samsung touch mobile and one

Lava small mobile were recovered on 16.06.2016.

Submission is of false implication, nothing has

been recovered from conscious possession of the petitioner, he has

been made victim of the circumstances, he is in custody since

17.06.2016, the recovered mobile were not put up on T.I.P. and as

such, the petitioner deserves sympathetic consideration, to which, the learned A.P.P. opposes by submitting that the accused persons have confessed their guilt and further on the basis of the disclosure made, other articles were recovered.

In the facts and circumstances stated above considering that charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner abovenamed 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 learned Chief Judicial Magistrate, Patna in connection with Phulwarisharif P.S. case no. 332 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 the privilege of bail.

(Jitendra Mohan Sharma, J.)

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