

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40419 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -BEUR District- PATNA

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1. Dalip @ Dalip Singh @ Dilip @ Dilip Rai son of Late Tej Singh resident of Village- Milkia P.S. Nigoi District Sahjanpur (U.P) At present Railway Station Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03/ 19.11.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 307 and other minor sections of the Indian Penal Code and various sections of the Arms Act.

Petitioner is said to be caught on the spot while making attempt to commit theft in a shop and some instruments are said to have been recovered from his conscious possession but submission on behalf of the petitioner is that seizure list does not bear the signature/ thumb impression of the petitioner and, therefore, the aforesaid fact goes to show that nothing was recovered from his possession. It is further contended by him that the petitioner was caught by the police on mere suspicion and he was remanded in this case on 3.1.2016 and up till now, charge could not be framed against the petitioner.

Para 3 of the petition goes to show that the petitioner does not have any criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge IX, Patna in Sessions Trial no. 319/2016 arising out of Beaur P.S. Case no. 02/2016 subjects to the conditions that one of the sureties shall be his close relative who shall swear an affidavit to this effect as to how he is related with the petitioner and furthermore, petitioner shall attend the learned trial court in person on each and every date for the period of six months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

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(Hemant Kumar Srivastava,J)

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