

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38042 of 2016

Arising Out of PS.Case No. -111 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI
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Chandan Kumar, son of Late Prakash Sah, Resident of Village - Bisnupur
Ward No. 42, P.S. - Begusarai (Town), District - Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pravin Kumar, Advocate

For the Opposite Party : Mr. Sri Umeshnand Pandit (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 27-09-2016

Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with Begusarai Town (Nagar) P.S Case No. 111 of 2016 registered for the offences punishable under Sections 457, 380 of the Indian Penal Code.

Allegedly, the petitioner is not named in the F.I.R., his name transpired in the confessional statement of co-accused Ajay Sah and disclosed that he has sold the ornaments at the shop of the petitioner and theft ornaments of this case have been recovered by the police.

Submission is of false implication and that the petitioner is in custody since 11.06.2016 but he has not been put on T.I.P. The petitioner is bonafide purchaser, he was not knowing that the ornaments were stolen one, other co-accused Arvind Paswan has been allowed bail by another co-ordinate Bench of

this Court vide Cr. Misc. No. 25546 of 2016 and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. fairly submits that co-accused has been allowed bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 Chief Judicial Magistrate, Begusarai, arising out of Begusarai Town (Nagar) P.S. Case No. 111 of 2016, subject to the conditions that one of the bailors must be 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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