

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58344 of 2015

Arising Out of PS.Case No. -377 Year- 2015 Thana -KATIHAR District- KATIHAR

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Md. Islam Son of Md. Moej @Moje Resident of Mohalla- Kadampur,
Imligachh, P.S Katihar, town, District Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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

3 03-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Katihar
Town P.S. Case No. 377 of 2015 registered for the offences
punishable under Section 392 of the Indian Penal Code and later
on Section 394 of the Indian Panel Code was added.

The petitioner is not named in the F.I.R. and it is
submitted that on the basis of confessional statement recorded
in Mansahi P.S.Case No. 54 of 2015, the petitioner has been
implicated in this case also wherein he is in custody since
10.08.2015 but he has not been put on T.I.P., nothing has been
recovered from the possession of the petitioner, without legal
and cogent material, charge-sheet has been submitted against

the petitioner and as such, he deserves sympathetic consideration, to which the learned APP opposes by submitting that the petitioner has got criminal antecedent as he is involved in five similar cases.

In the facts and circumstances stated above, the petitioner, above named, 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 the Learned Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 337 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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