

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25156 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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Amit Kumar Sah, S/o late Binod Sah@Late Binod Kumar Sah, Resident of
Mohalla-Donar; PS Laheriasarai, District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 14-06-2016

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in L.N.M.U.P.S. Case No. 3 of
2016 dated 05.01.2016 instituted under Sections 414/420/467/468/34
of the Indian Penal Code.

The allegation against the petitioner is of being a
member of a gang involved in theft.

Learned counsel for the petitioner submits that it is only
on suspicion and that too, on account of confessional statement of co-
accused Rohit Sahani, that the petitioner has been made accused and
has been arrested in the present case. It is further submitted that there
is neither any recovery nor any incriminating evidence against him.
Learned counsel submits that other co-accused persons namely, Tinku



Das, Anil Kumar @ Anil Thakur @ Anil Kumar Thakur, Shashi Singh @ Sashi Singh, Rakesh Yadav @ Rakesh Kumar Yadav @ Muswa and Vivek Kumar Yadav @ Vivek Yadav, from whom there has been recovery, have been granted bail by a co-ordinate Bench in Cr. Misc. 18962 of 2016 dated 04.05.2016, Cr. Misc. 11492 of 2016 dated 15.03.2016, Cr. Misc. No. 17407 of 2016 dated 29.04.2016, Cr. Misc. No. 15986 of 2016 dated 21.04.2016 and Cr. Misc. No. 23369 of 2016 dated 26.05.2016 respectively. Learned counsel submits that the petitioner is in custody since 27.02.2016.

Learned A.P.P. opposes the prayer for bail and submits that the petitioner is a member of a gang involved in theft.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in L.N.M.U.P.S Case No. 3 of 2016 subject to the condition that one of the bailors shall be a close relative of the petitioner, who shall give an affidavit before the court below disclosing the genealogy and relationship with the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any

criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Sujit/Ravi

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