

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50739 of 2015

Arising Out of PS.Case No. -47 Year- 2015 Thana -SIKRAUL District- BUXAR

1. Sumeshwar Yadav Son of Late Barai Singh, Resident of Village –
Dhanushari , Ghunsari, Police Station - Sikroul, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Nirmala Kumari(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 05-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sikraul
P.S. Case No. 47 of 2015 registered for the offences punishable
under Sections 379/34 of the Indian Penal Code in which Sections
385, 387, 411 of the Indian Penal Code were added later on.

Allegedly, when the informant was sleeping in his
Dalan in the night, four persons came and committed theft of his
she buffalo and when he woke up, he identified co-accused Naga
Pandey.

Submission is of false implication and that nothing has
been recovered from his possession rather the she buffalo was
recovered from the lonely place of an orchard of Sipahi Pandey on

the same day without any rope and the petitioner is suffering in custody since 25.08.2015 whereas other co-accused namely, Naga Pandey who was identified and further co-accused Manoj Yadav have been allowed bail by the court below itself.

Learned APP submits that prayer of bail of the petitioner was rejected by the court below as the petitioner got criminal antecedent.

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, Buxar in connection with Sikroul P.S. Case No. 47 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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