

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18181 of 2016

Arising Out of PS.Case No. -21 Year- 2015 Thana -KHAGARIA GRP CASE District- KHAGARIA

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1. Santosh Yadav S/o Late Hishabi Yadav, resident of Village- Tikarampur
Bihari Marr Tola, P.S. Muffasil, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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

ORAL ORDER

3 29-06-2016

Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 395 and 397 of the I.P.C and section 27 of the Arms Act.

Allegedly, 7-8 unknown miscreants committed dacoity in the train and took away mobile set and Rs. 500/- from the informant and also the mobile set and ornaments etc. by other passengers including the lady also. During investigation one of the looted mobile has been recovered from the house of the petitioner kept in a bag and another looted mobile has been recovered from the jacket of Rahul Yadav from the house of the petitioner.

Submission is of false implication and that the

petitioner has been made victim of the circumstances, nothing has been recovered from his conscious possession, the house is a joint family property, he is in custody since 08.02.2016 but has not been put on the test identification parade, other co-accused Laddu Yadav and Jitendra Kumar Yadav have been allowed bail vide Cr. Misc. No. 15413 of 2016 and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, the petitioner shall be released on bail, **after completion of six months in custody from the date of his remand in this case**, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Rail Judicial Magistrate, Khagaria in Mansi (Maheshkhut) Rail P.S. Case No. 21 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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