

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22866 of 2016

Arising Out of PS.Case No. -207 Year- 2015 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Nitesh Kumar S/o Parmeshwar Prasad R/o Mohalla Sitachowk, Hajipur,
P.S. Hajipur Town, Distt. Vaishali. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. J.N.Thakur(App)

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

ORAL ORDER

4 13-07-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Bidupur
P.S. Case No. 207 of 2015 registered for the offence punishable
under Section 395 of the Indian Penal Code.

The petitioner is not named in the First Information
Report. He was apprehended in Bidupur P.S. Case No. 525 of
2015 wherein, he confessed his guilt regarding involvement in this
case also and further one witness Haidar stated the name of the
petitioner and others that on the day and time of occurrence, the
petitioner and others were near his shop.

Submission is of false implication and that the
petitioner is in custody since 04.02.2016 but he has not been put
on TIP, other co-accused Santosh Sah and Nikky Kumar have

already been allowed bail, nothing has been recovered from possession of the petitioner and, as such, petitioner deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner has confessed his guilt stating the name of other co-accused but it is true that he was not put on TIP and nothing has been recovered in this case from his possession.

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 C.J.M. Vaishali at Hajipur in connection with Bidupur P.S. Case No. 207 of 2015 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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