

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3997 of 2016

Arising Out of PS.Case No. -158 Year- 2014 Thana -PHULWARIA District- GOPALGANJ

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Annan Sah @ Anand Kumar Sah, s/o Chathya Shanker Sah @ Hridya
Shanker Sah, r/o village- Mahancha, PS- Hathua, Dist- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Sushil Kumar, Advocate

For the State : Mr. B.N. Pandey(App)

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

ORAL ORDER

2 15-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Phulwaria
P.S. case No. 158 of 2014 registered for the offences punishable
under Section 395 of the Indian Penal Code.

The petitioner is not named in the First Information
Report and from perusal of the impugned order, it reveals that on
the basis of confessional statement of co-accused
Vikash Kumar @ Piyush, the name of the petitioner is transpired
and the petitioner is in custody since 19.05.2015.

Submission is of false implication that in this case,
similarly situated co-accused Amit Kr. Singh @ Amit Kr. Rai and
Sumit Kr. Dubey @ Changur Dubey have been allowed bail and
the petitioner has also not been put on T.I.P. and nothing has been

recovered from his possession

Learned A.P.P. does not oppose the prayer of bail.

In the facts and circumstances stated above, considering the detention of the petitioner, now he 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 Chief Judicial Magistrate, Gopalganj arising out of Phulwaria P.S. case No. 158 of 2014 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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