

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3970 of 2017

Arising Out of PS.Case No. -85 Year- 2016 Thana -SHERGHATI District- GAYA

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Md. Umar, S/o Enamul Haque, Resident of Village-Ansar Nagar, Chatra,
P.S.-Chatra, District-Chatra(Jharkhand). Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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

ORAL ORDER

2 28-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sherghati P.S.
Case No. 85 of 2016 registered for the offence punishable under
Section 395 of the Indian Penal Code.

The petitioner is not named in the first information report
and it is submitted that on the basis of confessional statement of
co-accused he has been remanded in this case, the petitioner is
suffering in custody since 10.11.2016, chargesheet has already
been submitted and there is no chance of tampering with the
prosecution evidence. Other co-accused similarly situated have
been allowed bail and as such the petitioner also deserves
sympathetic consideration.

Learned APP submits that the petitioner has 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 S.D.J.M., Sherghati, Gaya in connection with Sherghati P.S. Case No. 85 of 2016, 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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