

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12035 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -KUDHNI District- MUZAFFARPUR

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Kundan Kumar, son of Rajesh Kumar Singh, Resident of Village- Ram Nagar, P.S.- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 28-03-2017 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 356, 379 and 392 of the I.P.C

Allegedly, tempo of the informant was snatched after sprinkling chilly powder in the eye of the informant by three unknown miscreants. The informant claims to identify after seeing them. During course of investigation the said tempo was recovered from possession of co-accused Md. Seraj who was driving the said tempo and Md. Aslam confessing his guilt stated the name of the petitioner also.

Submission is of false implication and that Md. Seraj and Md. Aslam both have been allowed bail by different Benches



of this Court, Md. Seraj has been allowed bail vide Cr. Misc. No. 27088 of 2016, whereas, Md. Aslam has been allowed bail vide Cr. Misc. No. 43067 of 2016 and as such the petitioner also deserves sympathetic consideration as he is suffering in custody since 03.05.2016.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Manish Pandey, J.M. 1st Class, Muzaffarpur (West) in Kudhani P.S. Case No. 105 of 2016/ Trial No. 3939 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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