

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15833 of 2017

Arising Out of PS.Case No. -637 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Deepak Das son of Sohan Das resident of mohalla - Naya Tola, Parbatti,
P.S. - Vishwa Vidyalaya, Dist - Bhagalpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Mr. Sri Ajay Kumar-1, A.P.P.

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

ORAL ORDER

3 26-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kotwali
(Barari) P.S. Case No. 637 of 2016 registered for the offence
punishable under Section 395 of the Indian Penal Code.

Allegedly, 22 damaged battery and 2 running battery
were taken away by the miscreants after showing fear of arms to
the security guard.

Submission is of false implication and that the
petitioner is not named in the First Information Report, only on the
basis of confessional statement of Jangali Sah the petitioner has
been apprehended in this case. There is no material against the
petitioner. Nothing has been recovered from his possession. He
has not been put on T.I.P., he has got no criminal antecedent and,



as such, he deserves sympathetic consideration.

The learned A.P.P. fairly submits that besides confessional statement there is no other material against the petitioner.

In the facts and circumstances as 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 Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 637 of 2016, 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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