

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7146 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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Prem Singh, S/o Suresh Singh, resident of vill. - Supaul Tariya, P.S. Mahua,
Distt. - Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Jandaha P.S.Case No. 98 of 2016 registered for the offences punishable under Section 392 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that except confessional statement there is nothing against the petitioner. Although in the FIR itself informant has stated that he could identify the petitioner, as such, no TIP has been held and there is no recovery and he is in custody for four months and charge-sheet has been submitted in this case.

Heard learned APP also, who has opposed the prayer for bail stating that petitioner is a habitual offender.

Having heard both sides and from perusal of paragraph-3 of the petitioner it appears that although petitioner has been made accused in nine other cases of similar nature but in the present case there is nothing against him, except confessional statement, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand)



with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XI, vaishali at Hajipur, in connection with Jandaha P.S.Case No. 98 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be either Mukhiya or local representative of the village having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move the cancellation of his bail.

(iv) If petitioner is indulged in such type of cases in future, prosecution will be at liberty to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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