

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15420 of 2017

Arising Out of PS.Case No. -247 Year- 2016 Thana -PIRBAHOR District- PATNA

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OM PRAKASH SHAH @ OM PRAKASH SAHU @ OM PRAKASH Son
of Late Lakhan Shah, Resident of village - Ghadhpura, P.S. Ghadhpura,
District – Begusarai Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava, A.P.P.

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

ORAL ORDER

2 17-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Pirbahore
P.S. Case No. 247 of 2016 registered for the offences punishable
under Sections 420 and 379 of the Indian Penal Code.

Allegedly, by providing a metal of yellow colour, the
miscreant took away chain and locket of the informant after
exchanging with that metal of yellow colour.

Submission is of false implication and that the name of
the petitioner has come in the confessional statement of Darshan
Mahto, besides that there is nothing against the petitioner, the
petitioner is in custody since 23.12.2016, chargesheet has already
been submitted and there is no chance of tampering with the
prosecution evidence. Similarly situated co-accused Mantun



Kumar has already been allowed bail by another co-ordinate Bench of this Court vide Criminal Miscellaneous No. 12782 of 2017 and, as such, the petitioner also deserves sympathetic consideration. The petitioner is on bail in Rajeev Nagar P.S. Case No. 193 of 2016.

The learned A.P.P. fairly submits that co-accused Mantun Kumar has already been allowed bail.

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, Patna in connection with Pirbahore P.S. Case No. 247 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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