

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10651 of 2017

Arising Out of PS.Case No. -175 Year- 2016 Thana -BISFI (PATAUNA) District- MADHUBANI

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Gautam Kumar Jha S/o Ojendra Kumar Jha, Resident of Village- Depura,
P.S.- Benipatti, District- Madhubani. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Smt. Sahin Begam

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

ORAL ORDER

2 24-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Bisfi (Patauna)
P.S. Case No. 175 of 2016 registered for the offence punishable
under Section 392 of the Indian Penal Code.

The petitioner is not named in the first information report
and on the basis of confessional statement the petitioner was
apprehended in this case, resulting he is in custody since
13.09.2016. In test identification parade the informant did not
identify the petitioner.

Submission is of false implication and that on the basis of
confessional statement recorded in Arer P.S. Case No. 84 of 2016
the petitioner has been implicated in this case, he has not been
identified in TIP by the informant, nothing has been recovered
from conscious possession of the petitioner and as such he



deserves sympathetic consideration.

Learned APP submits that motorcycle of the informant along with bag containing cash of Rs. 900/-, some papers, pan card etc, were robbed by the miscreants and the petitioner has confessed his guilt.

In the facts and circumstances stated above, considering that the petitioner has not been identified in TIP by the informant, 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 learned Additional Chief Judicial Magistrate, Benipatti, Madhubani in connection with Bisfi (Patauna) P.S. Case No. 175 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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