

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13793 of 2017

Arising Out of PS.Case No. -555 Year- 2015 Thana -SITAMARHI District- SITAMARHI

=====

Mahesh Singh @ Mahesia, son of Sri Ram Ekbal Singh, resident of village -
Koari Ranjaatpur, P.S. and District - Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Jagdish Prasead with
Mr. Virendra Kumar, Advocates

For the Opposite Party/s : Mr. Sanjay Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Sitamarhi P.S.Case No. 555 of 2015 registered for the offences
punishable under Section 414 of the Indian Penal Code.

Petitioner is not named in the FIR and his name
transpires during course of investigation.

It has been submitted on behalf of the petitioner that
except confessional statement of co-accused there is nothing
against the petitioner and there is no recovery. So far antecedent is
concerned, it has been submitted that petitioner is on bail in other
cases and there is no direct evidence against the petitioner and he
is in custody for one year three months.

Heard learned APP also, who could not controvert the
above submission.

In this case a report was called for from the court
concerned and from the report it appears that the case is fixed
since 9.5.2016 for prosecution evidence but up-till-now not a
single witness has been examined in spite of summons and



bailable warrant of arrest having been issued against them.

Having heard both sides and considering the aforesaid aspect of the matter, let the petitioner, named above, 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 the Additional Chief Judicial Magistrate-VI, Sitamarhi, in connection with Sitamarhi P.S.Case No. 555 of 2015, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person 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 on each and every date in 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 and without permission of the court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

