

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13454 of 2017

Arising Out of PS.Case No. -118 Year- 2015 Thana -BUDDHACOLONY District- PATNA

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Md. Shoib Sheikh @ Md. Shoeb, son of Kamal Pasa @ Kamal Pasa Sheikh,
Resident of Village- Taziamohalla Tarapur, P.S.- Baisar, District- Palanga
(Maharashtra).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 12-05-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner seeks bail in connection with Budha Colony P.S.
Case No.118 of 2015 registered under Section 379 of the Indian Penal
Code besides Section 67 of the Indian Technology Act.

Learned counsel appearing on behalf of the petitioner submits
that the petitioner is not named in the F.I.R. In course of investigation,
the name of the petitioner surfaced in this case in the confessional
statement of the co-accused Satyam Kumar Singh. Except that, nothing
has been collected by the Investigating Officer, during investigation,
against the petitioner in the present case. Further submission is that the
petitioner, in the present case, is in custody since 09.10.2015. In fact,
the petitioner is accused in 15 other cases, as detailed in paragraph-3 to



this application, due to that reason, the police got implicated the petitioner falsely in the present case also on the basis of the confessional statement of the co-accused Satyam Kumar Singh.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Ritu Kumari, Judicial Magistrate, First Class, Patna, in connection with Budha Colony P.S. Case No.118 of 2015. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner. Further, the petitioner shall attend the trial court on each and every date in the case during the course of the trial. If the petitioner fails to appear before the trial court on two consecutive dates, during the course of the trial, in the case without any reasonable cause being shown, the trial court would be at liberty to cancel the bail bonds of the petitioner.

(Rajendra Kumar Mishra, J)

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