

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46434 of 2017

Arising Out of PS.Case No. -93 Year- 2017 Thana -KATORIA District- BANKA

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1. Mithilesh Pandit S/o Yogendra Pandit Resident of Village - Dudhkitari,
Police Station - Chandan(Anandpur), District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Katoria P.S.Case no.93 of 2017 registered for offences punishable under Section 394 of the Indian Penal Code, 27 of the Arms Act and Sections 3, 4 & 5 of Explosive Substance Act.

The petitioner is not named in the FIR and on the basis of confession of the co-accused, he has been arrested. Further it appears that as per the impugned order, some stolen articles have been recovered from the possession of the petitioner and it further appears that the petitioner has also confessed his guilt before the police.

Submission of the learned counsel for the petitioner is that those articles have not been put on TIP and now the charge-sheet has also been submitted. The petitioner has no criminal antecedent and confession is of no value as it is before the police.



Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the TIP was not held of the stolen articles, charge sheet has also been submitted and the petitioner has no criminal antecedent, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-1, Banka in connection with Katoriya P.S.Case No.93 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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 reasons, the prosecution is free to move for cancellation of his bail bond.
- (iv) Further condition that till conclusion of the trial of this case, he will make his attendance before the concerned Police Station of the area in the first week of every month, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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