

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29629 of 2017

Arising Out of PS.Case No. -184 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Divesh Singh S/o- Binod Singh, resident of Village- Asradhi, P.S.- Sonhan,
District- Kaimur (Bhabua).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Bhabua P.S.Case No. 184 of 2017 registered for the offences
punishable under Section 392 of the Indian Penal Code.

Petitioner is not named in the FIR and his name
transpires in the confessional statement of co-accused.

It has been submitted on behalf of the petitioner that
FIR itself shows that three accused persons have snatched the
money of the informant and out of whom two have been identified
in CCTV camera and later on one Sonu Pandey has been
apprehended, who has disclosed the name of the petitioner and
there is no recovery from the possession of the petitioner and it
has wrongly been mentioned in the impugned order that recovery
has been made from the petitioner and petitioner is in custody for
four months having no criminal antecedent.

Heard learned APP also.



Having heard both sides and considering the fact that there is no recovery from the possession or from the house of the petitioner, 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 Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Bhabua P.S.Case No. 184 of 2017, 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 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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