

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2490 of 2017

Arising Out of PS.Case No. -2 Year- 2012 Thana -ROSERA District- SAMASTIPUR

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Anil Kumar Das @ Anil Das S/o Rajendra Das, Resident of Village-Sahiyar, Police Station-Rosera, District-Samastipur.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 28-01-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Rosera P.S. Case No. 02 of 2012 registered for the offence punishable under Section 392 of the Indian Penal Code.

It is submitted on behalf of the petitioner that he is not named in the first information report, he is in custody since 25.02.2012 but he has not been put on test identification parade, nothing has been recovered from his conscious possession and only on the basis of confessional statement of co-accused Sawan Kumar he has been implicated in this case further on the ground that he has got criminal antecedent. Earlier he has not moved because he was convicted and recently he has been enlarged on bail and as such now in this case also he deserves sympathetic consideration.



Learned APP fairly submits that besides the confessional statement of co-accused the petitioner has got criminal antecedent also.

In the facts and circumstances stated above, 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 the learned Additional Sessions Judge, Rosera at Samastipur in Sessions Trial No. 598 of 2015, 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.

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(Jitendra Mohan Sharma, J)

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