

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11815 of 2017

Arising Out of PS.Case No. -483 Year- 2015 Thana -PATORI District- SAMASTIPUR

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Deepak Kumar Son of Aseshwar Prasad Rai @ Asheshwar Mahto Resident
of Village- Bindgama, Police Station- Patory (O.P. Mathurapur), District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Sri Ataur Rahman

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 26-04-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 392 of the I.P.C

The petitioner is not named in the FIR. It is submitted
on behalf of the petitioner that the petitioner has been remanded in
this case on the basis of the confessional statement of the
petitioner and besides the confessional statement there is nothing
against the petitioner, nothing has been recovered from his
possession, he has not been put on the test identification parade
there is no chance of tampering with the prosecution evidence,
charge sheet has already been submitted and as such the petitioner



deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner has confessed his guilt and he has got criminal antecedent.

In the facts and circumstances as stated above, considering that the petitioner has not been put on the test identification parade and nothing has been recovered from his possession, besides confessional statement there is no other material against him and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Samastipur in Patory P.S. Case No. 483 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.

(Jitendra Mohan Sharma, J)

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