

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17095 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -BAUNSI District- BANKA

- =====
1. Niraj Sharma, Son of Birendra Mistri @ Birendra Sharma.
 2. Janki Mandal, Son of Karu Mandal, Both are Resident of Village-Bhadaweri, P.S.- Hansdiha, District- Dumka (Jharkhand).

.... Petitioners

Versus

The State of Bihar

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Bounsi P.S.Case No. 72 of 2016 registered for the offences punishable under Section 395 of the Indian Penal Code.

The case is under Section 395 IPC but FIR has been lodged against unknown and later on name of the petitioner transpires on the basis of confessional statement of co-accused.

It has been submitted on behalf of the petitioner that except confessional statement of co-accused before police there is nothing against the petitioner and neither there is recovery nor any T.I. Parade has been held and he is in custody since 23.12.2016. It has further been submitted that no doubt petitioner has also been made accused in five other cases but all the cases relate to 2016, which clearly shows that like the present case petitioner has been remanded in those cases.



Heard learned APP also.

Having heard both sides and considering the facts and circumstances, as stated above, let the petitioner, above named, 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 Sri A.K.Gupta, Sub Judge-III-cum-ACJM-III, Banka, in connection with Bounsi P.S.Case No. 72 of 2016, subject to the conditions that :-

- (i) The bailors of the petitioner shall be close relatives of the petitioner 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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