

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36875 of 2018

Arising Out of PS.Case No. -286 Year- 2017 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Nikesh Kumar Jha @ Nikesh Kumar, S/o Babuan Jha @ Sutai Jha, R/v-
Baliya, P.S.- Benipatti, Dist- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-07-2018

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner has been in custody since
04.10.2017 in connection with Sadar P.S. Case No. 286
of 2017 registered for the offences punishable under
Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits
that he is not named in the First Information Report, but
he has been implicated during the course of
investigation of Simari P.S. Case No. 82 of 2017 in which
the petitioner was arrested on mere suspicion and a
confessional statement was recorded by himself in which
it is alleged that he has confessed his involvement in the
present case. Learned counsel for the petitioner further
submits that though he has been remanded in



connection with the present case, thereafter, neither he has been placed on T.I. Parade nor has there been any recovery from his possession.

Considering the period of custody and that the petitioner has one other criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 5th Additional Sessions Judge, Darbhanga in connection with Sadar P.S. Case No. 286 of 2017, subject to the following conditions:-

- (1) One of the bailors will be his father.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and



make himself available as and when so required
and in case of failure, the State shall be at
liberty to move for cancellation of bail.

(Anjana Mishra, J)

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