

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60304 of 2018

Arising Out of PS. Case No.-444 Year-2018 Thana- KISHANGANJ District- Kishanganj

Sk. Ehtesham @ Shekh Ehtesham @ Pinku son of Sheikh Jamiruddin,
resident of Village- Dilarpur, P.S. Manihari, District Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Mojibur Rahman
For the Opposite Party/s : Mr. Sri Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Kishanganj P.S. Case No. 444 of 2018 registered for the offence punishable under Sections 420, 379 and 328/120(B) of the Indian Penal Code.

Informant has alleged in the FIR that on 28.06.2018 he alongwith his villager Akhtar had gone to Kishanganj market for shopping where they met with Shekh Entesham @ Pinku. Irshad administered some medicine to informant due to which he got senseless and when he got consciousness he found himself in hotel alone and his money bag was missing. He found petitioner Ehtesham at chowk and he accepted all his misdeeds and agreed to return all the money. On search of his person



some stolen articles were recovered from the possession of petitioner.

It has been submitted on behalf of the petitioner that petitioner is quite innocent and has been falsely implicated in this case. Nothing was recovered from the possession of petitioner. Petitioner is in custody since 01.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Kishanganj P.S. Case No. 444 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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