

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43201 of 2018

Arising Out of PS.Case No. -32 Year- 2018 Thana -ISHAKCHAK District- BHAGALPUR

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Saurabh Sah @ Kundan Sah S/o Ashok Sah, R/o Aliganj Gangti, P.S.-
Mojahidpur (Babarganj), District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 24-09-2018 Heard learned counsel for petitioner and learned A.P.P.

for the State.

The petitioner seeks bail in Ishakchak P.S. Case No.
32/2018, registered for the offences punishable under Sections
395, 397 of the Indian Penal Code. Later on, section 412 of Indian
Penal Code was added.

Informant has alleged commission of dacoity in his
house by 07 to 08 unknown persons.

It has been submitted that name of petitioner has
surfaced in this case on the basis of confession made by co-
accused and thereafter, on confession of petitioner, some articles
were recovered from his house. However, it has been contended
that those article belongs to petitioner and he has never been put



on test identification parade or the articles recovered from his house. It has further been submitted that similarly placed co-accused Amit Sah and Vikash Sah have been granted bail vide order dated 29.06.2018 passed in Cr. Misc. No. 36081/2018. Petitioner is in custody since 24.02.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Ishakchak P.S. Case No. 32/2018, subject to the conditions:

- (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 reasonable reason will be sufficient to cancel his bail bonds.
- (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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