

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32852 of 2018

Arising Out of PS. Case No.-82 Year-2017 Thana- SIMRIBAZAR District- Darbhanga

Nikesh Kumar @ Nikesh Kumar Jha, Son of Shri Babuan Jha @ Sutai Jha @
Bauan Jha, Residence of Village- Baliya, P.S. Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-06-2018 Heard learned counsel for the petitioner learned
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Simari P.S.
Case No. 82 of 2017 for offence under Section 395 of Indian
Penal Code.

Learned counsel appearing on behalf of the petitioner
submits that the only material against the petitioner is
confessional statement made before the Police.

Learned counsel submits that in similar circumstances
the other co-accused have been granted bail by this court in Cr.
Misc. No. 56390 of 2017 vide order dated 29.11.2017.

Learned counsel appearing on behalf of the State
submits that the case of the petitioner is distinguishable on fact.
In the instant case two motorcycles, mobile phone and



Rs.41,000/- were recovered from the possession of petitioner and as such petitioner's case is distinguishable from the case of Rohit Kumar Ram, who was granted bail vide order dated 29.11.2017.

Considering the fact that the other co-accused has been granted bail vide order dated 29.11.2017, although there is some distinguishable feature but the fact remains that the petitioner remained in custody for more than 10 months since 15.07.2017, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned C.J.M., Darbhanga, in connection with Simari P.S. Case No. 82 of 2017.

(Anil Kumar Upadhyay, J)

Rakesh
Kumar/Manoj

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