

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4766 of 2018

Arising Out of PS.Case No. -26 Year- 2017 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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Santosh Kumar @ Bhola Yadav, S/o Late Lal Mohar Yadav, Resident of
Village- Suara Tola, P.S.- Baghaila, District- Rohtas.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 01-02-2018

Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner, in the present case, is seeking
regular bail in connection with Nasriganj P.S. Case No.
26/2017, registered for the offence punishable under
Sections 379 of the Indian Penal Code.

Learned counsel for the petitioner submits
that the petitioner is not named in the F.I.R., however he
has been falsely implicated in this case on the confessional
statement of the co-accused Raju Paswan. Learned counsel
submits that the stolen mobile of this case was recovered
from the possession of Raju Paswan. Nothing has been
recovered from the possession of this petitioner and he has
not been identified by anybody. Learned counsel submits



that in paragraph 3, he has stated about the cases lodged against him, a perusal of which would show that recently one after another police has involved him in all the cases on the basis of confessional statement of the co-accused.

Learned Additional Public Prosecutor for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be enlarged on bail, if not wanted in any other case, on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rohtas, Sasaram, in connection with Nasriganj P.S. Case No. 26/2017, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure and further condition that one of the bailors would be a close family member having no criminal antecedent. The petitioner shall co-operate in course of investigation/trial. If the Investigating Officer requires him, he will make himself available as and when required. Two regular defaults in putting appearance before the trial court in



course of evidence without there being any plausible
reason shall invite cancellation of bail.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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