

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41016 of 2018

Arising Out of PS.Case No. -12 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Badri Bind S/o Late Gurucharan Bind, R/o Vill.- Chandorulya, P.S.- Bhabua, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 24-09-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with Bhabua P. S. Case No. 12 of 2017, registered for offences punishable under Section 395 of the Indian Penal Code.

Allegation against the petitioner is that the petitioner along with other miscreants came armed with weapon through pickup van and committed theft of 18 bags of rice and 35 bags of grains of the informant.

Submission of the learned counsel for the petitioner is that the petitioner is not named in the F.I.R. and he has falsely been implicated in this case. It is also submitted that except confessional statement, there is no any cogent material available against the petitioner and he is in custody since 21.04.2017. It is also submitted that other co-accused person has been granted bail



by a Co-ordinate Bench of this Court vide order dated 10.08.2017 passed in Cr. Misc. No. 30177 of 2017.

Heard learned A.P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV, Kaimur at Bhabhua in connection with Bhabua P.S.Case No. 12 of 2017 corresponding to Sessions Trial No. 298 of 2017/322 of 2017, subject to the following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- ii) The petitioner will not induce any witness or tamper with the evidence.
- iii) It is made clear that if petitioner found involved in any of the like offences, in future, prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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