

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53464 of 2018

Arising Out of PS. Case No.-294 Year-2016 Thana- BELHAR District- Banka

SINKU PATHAK @ SINTU @ RAHUL @ BABA @ RAKESH S/o Mukund
Bihari Pathak, R/o Vill.- Khesar, P.S.- Belhar (Khesar), District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Mr. Sri Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-09-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Belhar (Khesar) P. S.
Case No. 294 of 2016 instituted for the offence under Section(s)
379/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. There is no
recovery of any incriminating article from his possession. No
TIP has been held. The name of this petitioner has transpired in
this case after police recorded the confessional statement of a co
accused arrested in Belhar P.S. case no. 316 of 2016. Thereafter
the police recorded the confessional statement of this petitioner
and made him accused in the present case.

The petitioner is in custody since 4.10.17 as it would



appear from the impugned order.

Considering the aforesaid, 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 each to the satisfaction of the Chief Judicial Magistrate, Banka in connection with Belhar (Khesar) P.S. Case No. 294 of 2016, subject to the condition that both the bailers shall be the close relative of the petitioner.

Learned counsel for the petitioner submits that there are total 15 criminals cases pending against the petitioner. He has given reference of 14 cases in para 3 of the bail petition and one case is the instant case.

In such circumstances, the defect no. 14(3) as pointed by the office which was ordered to be considered at the time of admission may be ignored.

(Sanjay Priya, J)

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