

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1827 of 2019

Arising Out of P.S. Case No.-79 Year-2018 Thana- HASPURA District- Aurangabad

Nandkishore Ram, aged about 50 years, Male, son of Late Budhan Ram,
resident of village-Baikagaon, Chandil, P.S. Kurtha, District-Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Respondent/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-01-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Haspura
P.S.Case No.79 of 2018 for the offence alleged under Sections
395 and 397 of the Indian Penal Code and Sections 4 and 5 of
the Explosive Substance Act.

The allegation as per the prosecution case is that some
miscreants had entered the jewelry shop of the informant and
committed theft of jewelry worth Rs.6,00000/- and cash of
Rs.1,00000/- and also exploded bomb causing injury.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the FIR and has
been falsely implicated in the aforesaid case. He further submits
that nothing has been recovered from his possession and it is



only on the basis of confessional statement of co-accused Jailal Mahato that his name surfaced which has no evidentiary value in the eye of law. He further submits that some of the accused persons whose name figured after the confessional statement of co-accused Jailal Mahato have been granted the privilege of bail by coordinate Bench of this Court in Cr.Misc.No.56931 of 2018 dated 10.10.2018 and Cr.Misc.No.64824 of 2018 dated 29.10.2018. The petitioner is languishing in judicial custody since 12.05.2018 in connection with Daudnagar P.S.Case No.144 of 2018 and has been remanded in the present case.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Haspura P.S.Case No.79 of 2018 to the satisfaction of Sri Sidharth Pandey, Judicial Magistrate, Ist Class, Haspura, District-Aurangabad subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file



an affidavit stating their relationship with the petitioners.

(ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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