

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.79032 of 2018

Arising Out of PS. Case No.-114 Year-2018 Thana- INDUSTRIAL District- Bhagalpur

Mukesh Kumar Sah S/o Rambrat Sah @ Rambarat Prasad Sah R/moh-Mirjanhat, Warsaliganj Musaidpur, P.S-Mojahidpur Mirajnhath, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.Sri Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Industrial Area (Bhagalpur) P.S. P.R. Case No. 114 of 2018 registered for the offence punishable under Section 392 of the Indian Penal Code.

Informant has alleged that while she was closing the grill of her house, one miscreant entered making enquiry regarding tenancy and thereafter three more miscreants came and on strength of arms took away her golden jewellery and cash of Rs. 22,000/-. FIR is against unknown. However informant has claimed that when miscreants are brought before her, she can identify them.

It has been submitted on behalf of the petitioner that



petitioner has been implicated in this case without any basis or any incriminating material against him and although the informant has claimed that she can identify the accused, still no TIP was done, nothing has been recovered from the possession of petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhagalpur, in connection with Industrial Area (Bhagalpur) P.S. P.R. Case No. 114 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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