

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5435 of 2019

Arising Out of PS. Case No.-229 Year-2017 Thana- BENIPATTI District- Madhubani

Kamlesh Kumar, Son of Ram Sewak Mahto, Resident of Village- Kansar,
P.S.-Belsand, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-01-2019 Learned counsel for the petitioner is permitted to
make necessary correction in the petition.

Heard learned counsels for the petitioner and State.

The petitioner is languishing in custody since 27.08.2018
in a case registered for the offences punishable under Sections
356 and 379 of the IPC.

The prosecution case, as per the written report of Uday
Kumar Yadav, dated 12.10.2017 submitted to the Station House
Officer, Benipatti Police Station, is to the effect that the
informant was carrying Rs. 2,10,000/- to P.N.B. Bank, situated
at Benipatti, in the meantime, one miscreant came on a
motorcycle and dashed the informant's motorcycle and snatched
the bag containing the said amount, leading to registration of
FIR against unknown accused persons. The name of the



petitioner sprang up during investigation when he was arrested in a case registered under the Arms Act and Excise Act where he confessed his guilt of committing robbery.

It is submitted by learned counsel for the petitioner that except confession before the police, no material evidence has been collected against the petitioner and no recovery has been made from the petitioner. It is further submitted that the investigation has already been concluded and the petitioner has not been put on T.I. Parade, whereas other similarly situated accused persons have been granted bail by different Benches of this Court, vide Cr. Misc. Nos. 38319, 43230 and 50129 of 2018.

Learned APP submits that the petitioner has confessed his guilt.

Considering the fact that investigation has already been concluded and the petitioner has not been put on T.I. Parade, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM, Benipatti in connection with Benipatti P.S. Case No. 229 of 2017.

The learned Court below would be at liberty to cancel



the bail bonds of the petitioner defaults on three consecutive occasions, or if he gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

Amrendra/-

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