

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79493 of 2019

Arising Out of PS. Case No.-115 Year-2019 Thana- PAKRIDAYAL District- East Champaran

Tabrej Miya @ Md. Tabrej Alam, Son of Late Suleman Miya Resident of Village - Chaita Chorma (Bangla Tola), P.s.- Pakridayal, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshuman Singh, Adv.
Mr. Rakesh Kumar No.1, Adv.
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Pakridayal P.S. Case No.115 of 2019 registered for the offence punishable under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the petitioner is not named in the FIR and his name has transpired in the confessional statement of co-accused.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it appears that the case has been registered under Section 379 I.P.C., the name of the petitioner is said to have transpired in the confessional statement of the co-accused, no recovery has been made



from the possession of the petitioner, although the petitioner has got criminal antecedent as noted in the impugned order but taking note of the nature of accusation in the present case which is solely based on the confessional statement of the co-accused and the case being that of under Section 379 I.P.C. and the petitioner has remained in custody since 23.08.2019, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Sikrahana at Dhaka in connection with Pakridayal P.S. Case No.115 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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