

Jitendra Kumar vs The State Of Bihar on 8 January, 2015

Author: Anjana Prakash

Bench: Anjana Prakash

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.102 of 2015
Arising Out of PS.Case No. -123 Year- 2014 Thana -PUNPUN Distri
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Jitendra Kumar son of Ravindra Kumar Sinha, resident of Mohalla Khaira
tali (Yamuna Bihar), P.S. Parea Bazar, District Patna

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Versus

The State of Bihar

..... Opposite

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Appearance :
For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP
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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 08-01-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Punpun P.S. case No.123 of 2014 instituted for the offence under Section 392 of the Indian Penal Code, pending in the court of Sri Brij Kishore Singh, J.M., 1st class, Masauri, Distt. Patna.

Considering that the looted Mobile was recovered from the possession of the Petitioner thus showing his complicity in the occurrence of robbery, I am not inclined to grant bail to the petitioner at this stage.

Prayer for bail is rejected.

However, since the Petitioner has fair antecedents, the petitioner above named may be released on bail after framing of charge provided his case is not bifurcated for the said purpose, on furnishing bail bond of Rs. 5,000/- (Five thousand) with two sureties of the like amount each or any other surety to be fixed by the court concerned to the satisfaction of Sri Brij Kishore Singh, J.M., 1st class, Masauri, District Patna in connection with Punpun P.S. Case No.123 of 2014, subject to the conditions (i) That one of the bailor will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will undertake to furnish information to the Court about any change in address of the petitioner. (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is he shall not be

released on bail, (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) That the petitioner will be well represented on each date if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J) Narendra/-

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