

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40882 of 2015

Arising Out of PS.Case No. -366 Year- 2015 Thana -DARIGAON District- SASARAM (ROHTAS)

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1. Rajesh Prajapati (mangaa) @ Rajesh Kumar @ mangaa Son of Hira Prajapati Resident of Vill : Banarasiya, P.S. : Sasaram (M), District : Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mrs. Renu Kumari, App

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Sasaram (Darigaon) P.S.
Case No.366/2015 registered under Section 394 of the Indian
Penal Code.

The prosecution case, in short, is that the informant
filed a written report before Darigaon P.S. stating that when he
reached at Veda Balthua (N.H.II) at about 8 P.M. on his Tempoo,
two persons arrived there and on the point of pistol snatched
Rs.25,000/- and mobile phone and fled away.

It is submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. He is in custody since
03.04.2015. The charge sheet has been submitted in this case.

There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the first information report. As per the prosecution case, the petitioner was accompanying the informant when the alleged occurrence is said to have taken place. The petitioner has been made accused merely on the basis of suspicion which was raised in the course of investigation with regard to the conduct of this petitioner. The petitioner is not alleged to have looted any article in the alleged occurrence.

On behalf of the State, it has been submitted that the petitioner is not named in the first information report.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Darigaon) P.S. Case No.366/2015.

(Sudhir Singh, J)

V.P.Sinha/-

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