

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45518 of 2015

Arising Out of PS.Case No. -180 Year- 2014 Thana -JAMALPUR District- MUNGER

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1. Md. Chhotu @ Chhotu Miya S/o Md. Nasim Resident of Village - Gulzar
Pokhar (Ghasiyar Mohalla) P.S. - Kotwali, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary

For the Opposite Party/s : Mr. Smt.Asha Devi (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-12-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 393 of the I.P.C

Allegedly, the petitioner and other co-accused persons
made an attempt to snatch the belongings of the informant but due
to arrival of the police party they could not succeed and were
apprehended.

Submission is of false implication, the petitioner is in
custody since 17.12.2014, charge sheet has already been submitted
in this case, there is no allegation of tampering with the
prosecution evidence, nothing has been recovered from possession
of the petitioner. Similarly situated co-accused Md. Afroz has

been allowed bail vide Cr. Misc. No. 39934 of 2015 and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from other co-accused.

In the facts and circumstances as stated above, the petitioner is directed to 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 C.J.M. Munger in Jamalpur P.S. Case No. 180 of 2014/ G.R. No. 2592 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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