

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48665 of 2015

Arising Out of PS.Case No. -87 Year- 2015 Thana -JHANJHARPUR District- MADHUBANI

=====

1. Shrawan Kumar Jha S/o Sri Vinod Kumar Jha, resident of Navtol,
Jhanjharpur (R.S.) P.S.- Lakhnour, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kameshwar Prasad Gupta

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

=====

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 392 of the I.P.C

Allegedly, three motorcycle borne criminals came, stopped the informant and snatched his bike, mobile phone and A.T.M. card and further they took the informant on bike and near Kamla river got down him from the bike and thereafter they speed away with the bike of the informant. The culprits were with motorcycle having registration no. BR-32M-2917.

Submission is of false implication due to business rivalry. The prosecution story not appears probable and believable. The informant was doing the business as broker for supply of stone chips with the help of the petitioner and due to some dispute

he has been got arrested by the police resulting he is suffering in custody since 11.06.2015. The statements of the witnesses are not reliable and probable. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. after going through the case diary submits that the witnesses have identified the petitioner but it is true that in the FIR the petitioner is not named.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, nothing has been recovered from possession of the petitioner and as such 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 A.C.J.M. Jhanjharpur in Jhanjharpur P.S. Case No. 87 of 2015, 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)

Abhay/-

U		T	
---	--	---	--