

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28219 of 2015

Arising Out of PS.Case No. -160 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Laxman Sah S/o Rajendra Sah R/o Village Dighi kala, P.O. Dighi Kala ,
P.S Sadar, Hajipur, Distt. Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

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

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

ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

Petitioner seeks bail in connection with Hajipur P.S.
Case No. 160 of 2015 registered for the offences punishable under
Section 392 of the Indian Penal Code.

Allegedly when the informant was going to his house
from Farbisganj and after coming down from bus at Hajipur, he
was going to station and then 2-3 persons with knife and pistol
came from the lane of Picnic Hotel and snatched voter Identity
Card, vehicle bill, mobile bill and cash of Rs. 5,000/- and clothes
and they also snatched one mobile of un-known passenger and
then the informant went to the police station and when the police

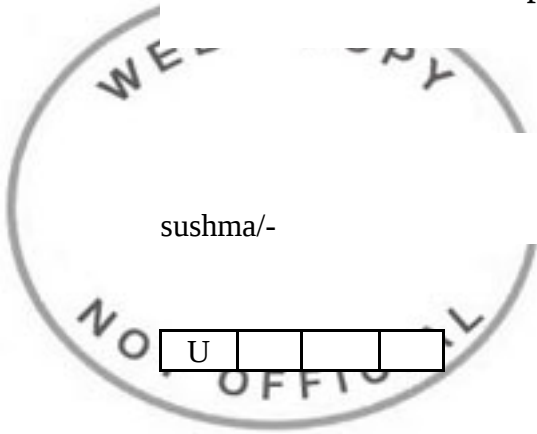
personnel raided the place and caught the petitioner alongwith co-accused Raushan Kumar and Dwarik Sah and it is alleged that Dwarik Sah with his associates have committed the crime.

Submission is of false implication and that co-accused Dwarik Sah was not apprehended and he has been allowed pre-arrest bail by the court below itself. Nothing has been recovered from the possession of the petitioner and he is suffering in custody since 12.4.2015 only on wrong identification and suspicion and, as such, the petitioner deserves sympathetic consideration as he has got no criminal antecedent.

Learned A.P.P. opposes the prayer of bail but fairly submits that nothing has been recovered from the petitioner.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Vaishali at Hajipur arising out of Hajipur Sadar P.S. Case No. 160 of 2015 subject to the conditions that one of the bailors must be 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.



sushma/-

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(Jitendra Mohan Sharma, J)