

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15848 of 2015

Arising Out of PS.Case No. -129 Year- 2014 Thana -BUXAR MUFFSIL District- BUXAR

=====

1. Hem Babu Gond Son of Budhan Gond Resident of Village - Pailadih,
Post Office - Asha Pandari, Police Station - Simri, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey

For the Opposite Party/s : Mr. Abhay Kumar 1(App)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 26-08-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail custody since
11.07.2014 in connection with Buxar (M) P. S. Case No. 129/2014
for the offences punishable under Section 392 of the Indian Penal
Code.

As per the order of this Court passed earlier, a report
has been received from the learned I/C, Judicial Magistrate, 1st
class, Buxar relating to present position of this case. In the said
report, it has been stated that after cognizance on 06.01.2015, the
record has been received from the court of learned Chief Judicial
Magistrate, Buxar and on the same day, a discharge petition has
been filed by the petitioner on 04.02.2015 and police paper has
been supplied to the petitioner.

The prosecution case is that on 27.05.2014, one Karuna

Nidhan Ojha gave a written report before the Incharge of Buxar (M) Police Station alleging thereon that on 26.05.2014 at about 7 P.M., he was under Mahdah Pull then three boys came from behind and after overtaking his motorcycle Honda Shine bearing No. BR-DIV-1330 slaty colour by their motorcycle, on the point of katta, snatched his mobile and motorcycle and thereafter they fled away at the back side.

It has been submitted by the learned counsel for the petitioner that he is not named in the F.I.R. On the basis of confessional statement, which has no evidentiary value, he has been made accused in the present case.

Considering the aforesaid facts, let the above named petitioner 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 learned Chief Judicial Magistrate, Buxar in connection with Buxar (M) P.S.Case No. 129/2014.

However, since the petitioner is involved in other cases of similar nature, if the petitioner is found indulging in the matter of similar nature then the learned Court below will be at liberty to cancel the bail bonds of the petitioner.

(Nilu Agrawal, J)

Sudha/-

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