

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49452 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Mundrika Mushar Son of late Somaru Mushar resident of Village: Siwan
P.s Kargahar ,District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. S.Ehteshmuddin(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-11-2015

Heard learned counsel for the petitioner and the State.

In this case, petitioner is seeking bail in Kudra
P.S.Case No. 97 of 2014 registered u/s 395 IPC and 27 of the
Arms Act.

Petitioner has criminal antecedent. Allegation has
been made that on 27th May 2014, the informant was going back
by his Bolero Jeep bearing Regd. No. BR45P-1777 and as they
reached near the diversion of Parasthua Main road, unknown
persons having Katta, country-made rifle, Lathi and Danda
stopped their vehicle and forced the informant, driver Ramgyan
Paul to get down and while they were getting down from the
vehicle, they snatched Rs.2,680/- from the pocket of the informant
and mobile set, gold ring and locket from the pocket of driver

Rs.800/- and mobile set and titan watch and from Ram Niwas Sharma and Rs.10,000/- from Krishna Prasad, Rs.500/- and mobile set snatched away, their vehicle were also damaged by the accused persons.

Counsel for the petitioner submits that petitioner is innocent so much so nothing has been recovered from his person and the person, namely, Ram Nagina @ Nagina Mushhar from whose possession mobile was recovered has been granted bail by this Court vide Cr.Misc.No. 36095 of 2015.

Looking to the facts and circumstances of the case, petitioner Mundrika Mushar is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua in connection with Kudra P.S.Case No. 97 of 2014, subject to the conditions that:

(i) one of the bailors will be father, mot her or wife of the petitioner,

(ii) if the petitioner would be found involved in similar type of case in future, prosecution will be at liberty to file application for cancellation of bail and the court below will pass necessary order, including cancellation of bail bonds,

(iii) the petitioner would co-operate

and if the petitioner will fail to co-operate in the proceeding of the court and will remain absent for two consecutive dates without reasonable explanation, the court will pass appropriate order, including cancellation of bail bonds, and

iv) Petitioner will report to Officer In-charge of the concerned Police Station by 7th day of each calendar month upto nine months, failing which the bail granted to the petitioner will be deemed to have been cancelled.

Jay/-

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(Shivaji Pandey, J)