

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5938 of 2016

Arising Out of PS.Case No. -50 Year- 2015 Thana -HATHIDAH District- PATNA

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Ravi Kumar Son of Sri Ashok Ram, Resident of Village - Dariyapur, P.S. - Hatidah, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-04-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Hatidah P.S. Case No. 50 of 2015 registered for the offence punishable under Section 394 of the Indian Penal Code.

Allegedly, three miscreants armed with pistol snatched mobile, cash of Rs. 3000/- from the informant and cash of Rs. 2500/- from Rajesh and further opened fire and after getting information from the informant, the police party chased the miscreants and caught them, from possession of the petitioner, one loaded country made pistol and looted mobile were recovered whereas, from possession of other co-accused, cash and live cartridge were recovered and the petitioner confessed his guilt.

Submission is of false implication and that the

petitioner has been made victim of the circumstances, he is suffering in custody since 15.06.2015, the petitioner is suffering from ailment and present is being treated at P.M.C.H., Patna and, as such, he deserves sympathetic consideration, other co-accused namely, Kundan Paswan and Jwala Paswan have already been allowed bail.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the detention of the petitioner, now he 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 Sri. Deepak Kumar, learned 1st Class, Judicial Magistrate at Barh, Distt. Patna in connection with Hatidah P.S. Case No. 50 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.

(Jitendra Mohan Sharma, J)

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