

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6848 of 2016

Arising Out of PS.Case No. -1352 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Raj Kumar Soni @ Bare Soni S/o Gopal Prasad, resident of Mohalla-
Khirki Ghat, P.S.- Sasaram (T), District- Rohtas..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Asha Devi(App)

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

ORAL ORDER

2 01-03-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Sasaram (T)
P.S. Case No. 1352 of 2015 registered for the offences punishable
under Section 394 of the Indian Penal Code and Section 27 of the
Arms Act.

The petitioner is not named in the first information
report and from perusal of impugned order it reveals that the name
of the petitioner transpired in the statement of spy of Police that he
was seen near the place of occurrence before the occurrence and
further the informant later on named the petitioner that he has
snatched the bag with other culprits.

Submission is of false implication and that earlier the
informant has not disclosed the name of the petitioner in the first

information report and also not in his further statement and that the disclosure made later by the informant has got no evidentiary value, the statement of spy has also got no evidentiary value and as such the petitioner who is suffering in custody since 23.12.2015 deserves sympathetic consideration as nothing has been recovered from his possession.

Learned APP opposes the prayer of bail by submitting that the petitioner has got criminal antecedent.

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, Sasaram in connection with Sasaram (T) P.S. Case No. 1352 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)

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