

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6645 of 2016

Arising Out of PS.Case No. -173 Year- 2015 Thana -MURLIGANJ District- MADHEPURA

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1. Sanjeev Yadav @ Dalda Son of Ghanshyam Yadav, Resident of Village - Murliganj, Durga Chowk, Police Station - Murliganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. M. Rab , APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-04-2016 Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Murliganj P.S. Case No. 173 of 2015 registered for the offence punishable under Section 397 of the Indian Penal Code.

Allegedly, after firing shots and stopping pick up van, unknown miscreants looted away total cash of Rs. 2,06,500/- and a mobile set and when Mithu Yadav made protest he was also shot thereafter, the miscreants fled away towards Murliganj. During investigation, the petitioner was caught when he was trying to flee away and he confessed his guilt.

Submission is of false implication and that the petitioner is in custody since 14.09.2015, he has not been put on T.I.P, the investigation has already been completed and charge-

sheet has been submitted under Section 397 of the Indian Panel Code, though, there is no legal and tangible material and only on the basis of criminal history, the petitioner's prayer for bail has been refused, and as such, he deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner has got criminal antecedent which is mentioned in para 128 of the case diary.

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, Madhepura in connection with Murliganj P.S. Case No. 173 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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