

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6667 of 2016**

Arising Out of PS.Case No. -97 Year- 2015 Thana -PHULWARIA District- GOPALGANJ

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1. Krishna Kumar Son of Maya Bhagat, Resident of village - Sukul Dumar,  
P.S. - Bhorey, District - Goplaganj presently residing at village - Arna  
Bazar, P.S. - Uchchakagaon, District - Gopalganj.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I(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  
Fulwaria @ Phulwaria (Shripur O.P.) P.S. Case No. 97 of 2015  
(G.R.No. 2044/2015) registered for the offence punishable  
under Section 392 of the Indian Penal Code.

Allegedly, three motor-cycle born miscreants after  
causing threat snatched the bag containing cash of Rs.  
3,56,000/- and two cheques of RS. 1,55,000/- of RTGS from the  
informant. During investigation, on the basis of confessional  
statement, the petitioner has been remanded in this case and the  
petitioner has also confessed his guilt.

Submission is of false implication and that the  
petitioner is in custody since 07.11.2015 but he has not been put

on T.I.P. Nothing has been recovered from his conscious possession and only on the basis of alleged confessional statement, he is suffering in custody, to which the learned APP opposes by submitting that the petitioner has got criminal antecedent as he is involved in eight more cases.

In the facts and circumstances stated above, considering that charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, and as such, 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 Judicial Magistrate, 1<sup>st</sup> Class, Gopalganj in connection with Fulwaria @ Phulwaria (Shripur O.P.) P.S. Case No. 97 of 2015 (G.R. No. 2044/2015), 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)**

ajaypd./-

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