

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9402 of 2016

Arising Out of PS.Case No. -214 Year- 2015 Thana -KARPI District- JEHANABAD

1. Om Prakash Kumar son of Hari Narayan Singh Resident of Village-
Makhmilpur Imamganj, P.S.- Kinger District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Narsing Tanti(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner is in custody since 19.12.2015 in connection with Karpi P.S.Case No. 214/2015 registered for offences punishable under section 392 of the Indian Penal Code.

The prosecution case is on the basis of written application by one Anuj Kumar before the S.H.O., Karpi on 17.12.2015 at about 8 P.M. that on 17.12.2015 at about 6 P.M. the informant was going to Pathak Bigha from Rajgir by motorcycle and when reached near Bajipur at secluded place, two persons came on two Apachi motorcycles, having no number plates, overtook him and told him to surrender at the point of pistol and they also took out key from motorcycle and asked him to hand over the entire belongings to them and the informant due to fear, handed over the motorcycle and Samsung mobile having two

SIMs, Helmet, Rs. 13,000/- cash, A.T.M. Card of S.B.I., Voter I. D. Card and a black bag with his clothes. All criminals were aged about 20-25 years having covered their faces with muffler after that the informant informed the villagers Birbal Singh and also the police.

It has been submitted by the learned counsel for the petitioner that he is innocent, having no criminal history and not named in the F.I.R.It has further been submitted that no incriminating articles has been recovered from his possession and it is only during investigation that the name of the petitioner has surfaced.

However, learned A.P.P. opposes the prayer for bail stating therein that his name crept up during investigation.

Considering the aforesaid facts, the above named petitioner, Om Prakash Kumar, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Karpi P.S.Case No. 214/2015.

(Nilu Agrawal, J)

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