

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9523 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

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Aditya Kumar S/o Bhuneshwar Prasad R/o Patharaita P.S. Ariyari & Dist. Sheikhpora. Presently residing at Makdumpur, in front of ADB Bank, P.S. & District Sheikhpora.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate

For the Opposite Party/s : Mr. Renuka Ratnakar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

learned APP for the State.

Petitioner is languishing in judicial custody since 25.01.2016 in connection with Sheikhpora P.S. Case No. 22/16 for offences alleged under Sections 392/411 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he was taking out money through A.T.M. of State Bank of India located at Sheikhpora Station Chowk two boys entered the A.T.M. and after taking away Rs. 10,000/- which had been withdrawn by the informant attempted to flee away on motorcycle. On alarm he apprehended one of the accused and assembled people apprehended both the accused with motorcycle.

It has been submitted by the learned counsel for the petitioner that nothing has been recovered from the conscious

possession of the petitioner, he has committed no offence and does not have any criminal history. It has further been submitted that a compromise has taken place between the informant and the petitioner and other co-accused. The petitioner is 2nd year student of mechanical engineering and his exams are near and his educational career will be seriously jeopardized if he is not allowed to appear in his exams.

Learned APP for the State, however, submits that petitioner is named in the First Information Report and opposes the prayer for bail.

Be that as it may, since nothing has been recovered from the conscious possession of the petitioner, he being a student of mechanical engineering and a compromise has taken place between the parties, let petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 22/16. However, if the petitioner is found to have committed similar offence in future his bail bonds are liable to be cancelled by the learned court below, without being prejudiced with this order.

(Nilu Agrawal, J.)

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