

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9605 of 2016

Arising Out of PS.Case No. -244 Year- 2015 Thana -DARIYAPUR District- SARAN

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Satish Rai Son of Umesh Rai, Resident of Village - Jahangirpur, P.S. -
Sonepur, District - Saran, at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Kumar, Advocate.

For the Opposite Party : Ms. Meena Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

The petitioner is accused in Dariyapur P.S. Case No.
244 of 2015 for the offences alleged under Section 394 of the
Indian Penal Code.

The prosecution case is that as per FIR, on 26.09.2015
when the informant Mithun Kumar was coming from Hajipur and
going to his home by his motorcycle, he was stopped by three
unknown persons who were standing there with a motorcycle.
They looted the motorcycle of the informant at gun point, Rs.
8000/- and his mobile from his pocket and fled away by
motorcycle.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has falsely been implicated in the aforesaid case. In fact, he was arrested in another case bearing Sonapur P.S. Case No. 388 of 2015 registered under Sections 25(1-b), 26 of the Arms Act on 28.09.2015 and since then he is in judicial custody. It has further been submitted that during course of investigation his name surfaced on the basis of his confessional statement before the police which is not an admissible evidence in the eye of law and nothing has been recovered from his conscious possession.

However, the learned APP for the State opposes the prayer for bail stating therein that the petitioner has confessed his guilt.

Be that as it may, let the 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 the learned Additional Chief Judicial Magistrate-4, Saran at Chapra in connection with Dariyapur P.S. Case No. 244 of 2015.

However, it is made clear that since the petitioner is an accused in another case, if the petitioner indulges himself in the case of similar nature in future the learned court below will be at liberty to cancel the bail bond of the petitioner without being

prejudiced by this order.

(Nilu Agrawal, J.)

