

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17596 of 2016

Arising Out of PS.Case No. -122 Year- 2012 Thana -BELA District- SITAMARHI

1. Amit Kumar S/o Rajkishor Mahto @ Raj Kishor Prasad resident of village Sirsiya Bazar, P.S. Bela District Sitamarhi..... Petitioner

Versus

1. The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Suman Kumari Singh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 24-06-2016

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Bela P.S. Case No. 122 of 2012 registered for the offence punishable under Section 394 of the Indian Penal Code.

First Information Report is against three unknown miscreants who have robbed the informant and also snatched his motorcycle. The informant claimed to identify them after seeing. During investigation the name of the petitioner transpired in the statement of the witnesses that the petitioner came with looted motorcycle which was kept at the house of Ragho Sah.

Submission is of false implication and that there is no legal and tangible material against the petitioner, the petitioner was not apprehended with snatched motorcycle or any article, the petitioner has been made victim of circumstances, he is in custody

since 08.12.2015 but has not been put on test identification parade as such he deserves sympathetic consideration to which the learned APP opposes by submitting that chargesheet has already been submitted under Sections 392/411 of the Indian Penal Code.

In the facts and circumstances stated above, considering the period of detention and further that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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, Sitamarhi in connection with Bela P.S. Case No. 122 of 2012, 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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