

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22607 of 2016

Arising Out of PS.Case No. -317 Year- 2015 Thana -MASRAKH District- SARAN

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Sandeep Kumar, son of Anil Ojha @ Bholu Ojha, resident of Village-Parsa
Mathura, Police Station-Parsa, District- Saran. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party : Mr. Nityanand(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-07-2016

Heard learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with Masrakh
P.S Case No. 317 of 2015 registered for the offence punishable
under Section 392 of the Indian Penal Code.

Allegedly, three motorcycles borne criminals
surrounded the informant, assaulted him with fists, snatched his
purse, mobile and motorcycle and fled away. During investigation,
the name of the petitioner transpires and it reveals that the
petitioner has used the looted mobile after inserting SIM No.
9576279963 and further from his possession fire-arm, cartridges,
mobile and one other Splendor Pro Hero Honda motorcycle were
recovered.

Submission is of false implication and that nothing
has been recovered from the possession of the petitioner, he has
been implicated only on the basis of confessional statement, he is

in custody since 11.12.2015, but he has not been put on T.I.P, the recovered motorcycle is not the snatched motorcycle of this case and by remaining in custody, now he has been sufficiently penalized.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the detention of the petitioner and further there is no chance of tampering with the prosecution evidence, as such the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra arising out of Masrakh P.S. Case No. 317 of 2015, subject to the conditions that one of the bailors must be 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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