

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50207 of 2016**

Arising Out of PS.Case No. -264 Year- 2015 Thana -GARDANIBAGH District- PATNA

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Rajiv Ram @ Raju Son of Late Shiv Nandan Ram Resident of Naya Tola  
Saristabad, P.S. Gardanibagh, District Patna

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      14-12-2016                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
19.09.2015 in connection with Gardanibagh P.S. Case No. 264 of  
2015 registered for the offence punishable under Sections 356 and  
379 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that on 28.01.2015 at about 9:00 A.M., while the informant Gita  
Sinha was going towards Kahartoli through Road No.1 along with  
her grand-daughter, two persons on a white colour motorcycle  
came from behind and snatched the chain from the neck of the  
informant and fled away.

It has been submitted by the learned counsel for the



petitioner that he is innocent and is not named in the First Information Report, but during investigation, his name surfaced. No incriminating article has been recovered from his possession and that charge-sheet has already been submitted against him, hence, there is no chance of tampering with the prosecution evidence and that in the earlier four cases pending against him, he is already on bail.

However, learned A.P.P. for the State submits that the petitioner has been remanded in this case on 19.09.2015 and is one of the members of the gang, which indulges in such type of loot of chain, motorcycle and other articles. He further submits that petitioner has also confessed his guilt in his inculpatory extra judicial confessional statement, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case and submission of the parties and that charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Gardanibagh P.S. Case No. 264 of 2015, subject to the condition that one of the bailors would be close relative and other bailor would be a person, who has sufficient immovable properties within the concerned police station and that



petitioner will appear before the police/ Court below on each and every date and his failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds without being prejudiced with this order.

With these observations and directions, this application stands allowed.

**(Nilu Agrawal, J.)**

Arjun/-

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