

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54640 of 2016

Arising Out of PS.Case No. -172 Year- 2016 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Mangal Pandey son of Bharat Ram Pandey Resident of village - Makan
No. A/35, Pandey Enclave Prem Nagar - III, Police Station - Aman Bihar,
District - Nagloi, New Delhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
27.07.2016 in connection with Sarairanjan P.S. Case No. 172 of
2016 registered for the offence punishable under Section 392/34
of the Indian Penal Code.

The prosecution case as alleged by the informant is that
while the informant was returning home on his Pulsor motorcycle,
some miscreants snatched his motorcycle. One of the persons
apprehended disclosed his name as Rahul Kumar.

It has been submitted by learned counsel for the
petitioner that he is innocent and not named in the FIR and he has
no criminal history. It has further been submitted that his name
surfaced on the confessional statement of one Deepak Kumar from
whose possession motorcycle was recovered and confessional
statement of a co-accused before the police has no evidentiary



value in the eyes of law. He further submits that one of the similarly situated co-accused have since been granted privilege of bail by a coordinate bench of this Court in Cr. Misc. No. 46670 of 2016 on 24.11.2016.

. However, learned A.P.P. for the State opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case and that another co-accused has been granted privilege of bail on similar allegation, 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 Judicial Magistrate 1st Class, Samastipur in connection with Sarairanjan P.S. Case No. 172 of 2016.

(Nilu Agrawal, J)

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