

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52800 of 2016

Arising Out of PS.Case No. -124 Year- 2016 Thana -TATARPUR District- BHAGALPUR

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Sonu Kumar Sah @ Sonu Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
07.09.2016 in connection with Tatarpur P. S. Case No. 124 of
2016 registered for the offence punishable under Sections 379,
411 and 34 of the Indian Penal Code.

The prosecution case as lodged by the informant
while he and his mother were returning from temple, two accused
named in the F.I.R. snatched golden chain, were apprehended and
the chain was recovered.

It has been submitted by the learned counsel for the
petitioner that he is innocent and nothing has been recovered from
his conscious possession. He submits that he is not named in the
F.I.R. and on confessional statement of the apprehended co-



accused Abhishek Kumar, the name of the petitioner surfaced, which has no evidentiary value in the eye of law. He further submits that co-accused was apprehended and stolen chain was recovered from his possession.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, 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, Bhagalpur in connection with Tatarpur P.S.Case No. 124 of 2016.

(Nilu Agrawal, J)

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