

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50671 of 2016

Arising Out of PS.Case No. -150 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Raj Kumar Sah @ Raja Kr. Sah, son of Kamleshwar Sah, Resident of
Village- Hilalpur, P.S.- Sadar Hajipur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bela Singh, Advocate

For the Opposite Party : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 28-11-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in custody since 02.08.2016 in
connection with Vaishali P.S.Case No.150 of 2016, G.R.No.2572
of 2016 for offence alleged under Sections 394, 395 and 412 of
the IPC.

The prosecution case is that the informant proceeded to
Motihari and when he reached at Chakbas Chaur at Vaishali, one
Bolero along with seven miscreants arrived there and stopped his
vehicle after overtaking it and two miscreants dragged the
informant from his vehicle and took away the Bolero and they fled
away with vehicle. The informant rescued himself and went to
neighbouring village, where he informed *Surpunch* of said village.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He further submits that he is not named in the FIR and nothing has been recovered from his possession but from the possession of other co-accused Krishna Sah who has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr.Misc.No.40679 of 2016 dated 22.11.2016 and the other co-accused has also been granted bail by this Court in Cr.Misc.No.43620 of 2016 dated 22.11.2016. It is further submitted that no test identification parade has been done so far and chargesheet has already been submitted, hence there is no chance of tampering with the evidences.

However, learned APP for the State opposes the prayer for bail.

Be that as it may, since other co-accused has since been granted the privilege of bail, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Vaishali P.S.Case No.150 of 2016.

(Nilu Agrawal, J)

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