

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50809 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

=====

Mukesh Patel, S/o Shri Dhruv Patel, resident of village- Chargharwa Pakari,
Police Station- Ramnagar, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-11-2016 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is languishing in judicial custody
since 15.09.2016 in connection with Gaunaha P.S. Case No. 52
of 2016 for the offences alleged under Section 392 of the Indian
Penal Code.

The allegation as made in the First Information
Report is that one unidentified person has snatched Rs.
40,000/- from the informant while he had taken out the money
from the S.B.I., Gaunaha Branch.

It has been submitted by the learned counsel for
the petitioner that petitioner is innocent and just because his
statement had been recorded in another case bearing Ram
Nagar P.S. Case No. 102 of 2016, wherein the petitioner had



confessed his guilt of looting a mobile, that the petitioner has been made accused. The place of occurrence is far away from the place where C.C. T.V. camera had been installed by the Bank. It has further been submitted that charge-sheet has already been submitted, hence there is no chance of tampering with witnesses and that the petitioner is not named in the First Information Report.

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

From the materials available does not reveal that the release of the petitioner would at this stage affect the trial as charge-sheet has already been submitted, hence in the interest of justice, 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 Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Gaunaha P. S. Case No. 52 of 2016.

This direction of bail is further subject to the condition that the accused petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear before the learned Court below as and when directed.

With the aforesaid observations and direction, this bail application stands allowed.



(Nilu Agrawal, J)