

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52820 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Md. Ershad @ Chhotu, Son of Md. Azad Rain, Resident of Mohalla- Jakki Bigha, Police Station- Sasaram (Town), District- Rohtas, At Present Village- Ishlampur (In the house of Md. Rustam Ansari) Police Station- Karagahar, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Mr. (Dr.) Ajeet Kumar, APP

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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 10.09.2016 in connection with Kargahar P.S. Case No. 182/16 registered for the offence punishable under Sections 457, 380 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that he is presently posted as Incharge Medical Officer at Primary Health Centre, Kargahar. In the evening of 25.08.2016 he left his place for Patna with his family entrusting Mohan Prasad to look after his house. On 27.08.2016 at around 8.00 P.M. when he returned from Patna he found his house locked from inside and



mobile phone and watch missing.

It has been submitted by the learned counsel for the petitioner that he is innocent, has no criminal history and has falsely been implicated in the aforesaid case on the basis of confessional statement of one Krishna Tanti @ Krishna Kumar, in whose possession the mobile was recovered, who has named the petitioner, which has no evidentiary value in the eye of law. He submits that nothing incriminating has been recovered from the possession of the petitioner and he has been implicated only on the basis of suspicion.

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

Considering the facts and circumstance and he submission of the parties, since petitioner has no criminal history, 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, Sasaram, Rohtas, in connection with Kargahar P.S. Case No. 182/16.

(Nilu Agrawal, J.)

Rajesh/-

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