

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51224 of 2016

Arising Out of PS.Case No. -176 Year- 2015 Thana -MITHANPURA District- MUZAFFARPUR

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Ratan Singh, S/o Uma Shankar Singh, resident of Village- Shekhpur-
Akharaghat, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satyendra Narayan Singh, Advocate
For the Opposite Party : Smt. Renuka Ratnakar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-12-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in judicial custody since
05.01.2016 in connection with Mithanpura P.S.Case No.176 of
2015 for offence alleged under Section 394/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case is that while the informant's wife
was in the market two unknown persons snatched her gold
ornaments and fired, which hit on the hand of the informant's
wife.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated in the
aforesaid case. He further submits that nothing has been recovered



from the possession of the petitioner, no test identification parade has been done so far and that the petitioner is not named in the FIR. He further submits that it is only on the confessional statement of one Sonu Kumar that his name surfaced which has no evidentiary value in the eye of law. He further submits that chargesheet has already been submitted, hence, there is no chance of tampering with the prosecution witnesses. He further submits that no injury has been found on the wife of the informant and chargesheet has been submitted only under Section 394 of the IPC against the petitioner.

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

Be that as it may, since the chargesheet has already been submitted and his name surfaced on the confessional statement of co-accused, 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 SDJM, (East) at Muzaffarpur in connection with Mithanpura P.S.Case No.176 of 2015.

It is further made clear that this direction for bail is further subject to the condition that the petitioner will not directly or indirectly, make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application stands allowed.

(Nilu Agrawal, J)

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