

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51967 of 2016

Arising Out of PS.Case No. -126 Year- 2015 Thana -MARANCHI District- PATNA

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1. Ram Bahadur Bind @ Bahadur Bind Son of Late Biranchi Bind Resident of Simariya Bind Toli, P.S. Chakiya District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-12-2016

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in connection with Maranchi P.S. Case No. 126/2015 for offences punishable under Section 395 and 412 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he was engaged in the cremation of the dead body of his mother, 7-8 miscreants snatched Rs. 70,000/- and Rs. 50,000/- and five mobiles from the informant and others. Although, the First Information Report has been lodged against unknown but during investigation in another case in which the petitioner is an accused, on his self-confessional statement, has been remanded to judicial custody in this case since 05.10.2016.

It has been submitted by the learned counsel for the



petitioner that he is innocent. Nothing incriminating has been recovered from his possession and no T.I. Parade has been done so far. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It is further submitted that other co-accused persons have since been granted the privilege of bail by a co-ordinate Bench of this Court and in Cr. Misc. No. 27201/2016 on 05.09.2016 and even the accused, from whose possession mobile was recovered, has also been granted the privilege of bail by this Court in Cr. Misc. No. 9884/2016 on 26.04.2016.

However, learned APP for the State submits that during investigation the name of the petitioner surfaced, hence, opposes the prayer for bail.

Be that as it may, considering the facts aforesaid and submission of the parties and that other co-accused have since been granted the liberty of bail, let petitioner, above named, be enlarged 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 Judicial Magistrate 1st Class, Barh, Patna, in connection with Maranchi P.S. Case No. 126/2015, subject to the condition that one of the bailors must be close relative of the petitioner and another having sufficient immovable property within the jurisdiction of the court concerned and the petitioner shall remain present on each and every date during



trial and in default of appearing on two consecutive dates without assigning any reason, shall disentitle him from the privilege of bail.

(Nilu Agrawal, J.)

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