

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26971 of 2016

Arising Out of PS.Case No. -393 Year- 2014 Thana -SIWAN CITY District- SIWAN

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Anil Turha, Son of Gurucharan Sah, Resident of Village- Bangali Pakri,
Police Station- Siwan Mufassil, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The counsel for the petitioner is permitted to make
necessary correction in the prayer portion of this petition.

In this case, the petitioner is seeking bail in
connection with Siwan Town P.S. Case No. 393 of 2014 registered
for offences under sections 392 of the Indian Penal Code.

Allegation has been made that at about 6.45 P.M. on
16.09.2014 while the informant, who is engaged in ornament
business, was going from Siwan to Deoria, was intercepted by
four persons and while he was trying to flee away, he was caught
and the accused persons snatched his bag containing gold
ornaments including Rs. 2,00,000/- (two lacs).

The counsel for the petitioner submits that the

petitioner is in custody since 19.01.2015.

In paragraph 3 of this petition, the petitioner has disclosed that he has been implicated and remanded in three cases i.e. Siwan Muffasil P.S. Case No. 239 of 2012 u/s 392 I.P.C, Siwan Town P.S. Case No. 357 of 2014 under section 392 I.P.C. and Siwan Town P.S. Case No. 358 of 2014 under section 392 I.P.C. after arrested in Siwan Muffasil P.S. Case No. 423 of 2014 under sections 399/402/414 of the Indian Penal Code and 25(1-b)a/26/35 of the Arms Act. The petitioner is in custody since 19.01.2015.

In view of the period of custody, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VII, Siwan in connection with Siwan Town P.S. Case No. 393 of 2014, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court

below will be at liberty to pass the order, including cancellation of bail bonds (iv) the petitioner will report to Siwan Town Police Station by 7th of every month at least for six months. In case of failure, the bail of the petitioner will be treated to have been cancelled and (v) the fact mentioned in paragraph 3 of this petition, would be verified by the court below.

(Shivaji Pandey, J)

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