

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4793 of 2016

Arising Out of PS.Case No. -92 Year- 2015 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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1. Suresh Prasad Son of Mahendra Prasad, Resident of Village -
Puraina,P.S. - Yogapatti, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-03-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Dumariaghat P.S. Case No. 92 of 2015 registered for the
offences punishable under Sections 392 and 412 of the Indian
Penal Code.

First Information Report is against unknown.
Allegedly, unknown miscreants after assaulting the informant
and Khalashi snatched their mobiles, cash of Rs. 5000/- and
licence and fled away with looted loaded truck. During
investigation the name of the petitioner transpired in the
confessional statement of co-accused Pradeep Yadav and
further looted Potato was also recovered from the shop of

Ranjeet Kumar Mahto and the petitioner and further, the petitioner also confessed his guilt.

Submission is of false implication and that the petitioner is in custody since 02.09.2015 but he has not been put on T.I.P, looted truck was found in abandoned condition, recovered Potato is of general use and there was no identification mark, confessional statement has got no evidentiary value in the eye of the law, other co-accused Shravan Yadav, Hari Narayan Yadav, Sunil Kumar have already been allowed bail, to which the learned APP opposes by submitting that the prayer of bail of co-accused Ranjeet Kumar has been rejected.

In the facts and circumstances stated above, considering the detention of the petitioner and further, charge-sheet has been submitted and there is no chance of tampering with the prosecution evidence, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Dumariaghat P.S. Case No. 92 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient

immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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