

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6682 of 2016

Arising Out of PS.Case No. -624 Year- 2015 Thana -PHULWARI District- PATNA

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Ravi Sharma Son of Shambhu Sharma, Resident of Chhoti Badalpura, P.S.
Khagaul, District - Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Diwakar Upadhyaya, Advocate.

For the Opposite Party : Mr. Dinesh Singh(App)

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

3 08-04-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Phulwari
P.S. Case No. 624 of 2015, registered for the offences punishable
under Sections 395 and 397 of the Indian Penal Code.

Allegedly in the house of father-in-law of the
informant dacoity was committed wherein the informant was
assaulted with knife and ornaments valuing Rs. 25 lacs, cash of
Rs. 50,000/- were taken away and when they were fleeing away
alarm was raised and then with the help of Mahalla people two
persons were caught including the petitioner.

Submission is of false implication and that in the first
information report it has been alleged that the petitioner was



caught with the help of Mahalla people at once, but in case diary in para-4 it has come that the police came at the spot and with the help of sniffer dog the petitioner and co-accused were caught but nothing has been recovered from their possession and later on during investigation Teni Nutt and others were caught and on the basis of their confessional statement some looted ornaments and articles were recovered and as such the petitioner without any fault is suffering in custody since 04.09.2015.

The learned APP fairly submits that there is contradiction in the first information report and para-4 of the case diary.

In the facts and circumstances stated above, considering the custody of the petitioner now the petitioner above named is 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 Miss Shema Eram, the learned Judicial Magistrate 1st Class, Patna in connection with Phulwari P.S. Case No. 624 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.)