

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47289 of 2015

Arising Out of PS.Case No. -149 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

1. Md. Mahboob S/o Ashik Ali Resident of vill. - Machhua Toli, P.S. Ara
Nagar, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate &
Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party/s : Mr. M. Rab (APP)

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

3 18-01-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 392, 307 and 353 of the I.P.C and
section 27 of the Arms Act.

Allegedly, the miscreants snatched cash of Rs.
10,000/- from the informant and Rs. 3,000/- from his brother-in-
law but the police party came and then the informant informed
about the occurrence and the miscreants were chased resulting the
petitioner was caught and from his possession cash of Rs. 3,000/-
snatched from the brother-in-law of the informant was recovered
besides knife and two mobiles and the petitioner stated the name
of other co-accused who succeeded in fleeing away.

Submission is of false implication and that the

petitioner has been made victim of the circumstances, the prosecution story appears not probable and reliable, he has not been put on test identification parade and is suffering in custody since 23.04.2015.

The learned A.P.P. opposes prayer for bail by pointing out the alleged recovery and further that the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, considering detention of the petitioner and further that charge sheet has already been submitted and no fire arm was recovered from possession of the petitioner and as such he is directed to 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 C.J.M. Bhojpur at Ara in Ara Town P.S. Case No. 149 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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