

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54353 of 2016

Arising Out of PS.Case No. -139 Year- 2014 Thana -BHAPATIYAH I District- SUPAUL

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Rahul Kumar @ Aman, S/o Sanjay Yadav, R/o Village - Ajgaiwa, P.S. - Sour Bazar, District. - Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Veena Kumari Jaiswal, Advocate

For the Opposite Party : Mr. Ajay Kumar-1(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bhaptiyahi P.S Case No. 139 of 2014 registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegedly, three motorcycle borne criminals covering their faces surrounded the informant and snatched the motorcycle and Nokia mobile set along with other valuables including valuable documents and all of them fled away towards Bhaptiyahi, during fleeing the informant noted down the registration number of one of the motorcycle of the miscreants as BR43B-8666.

Submission is of false implication and that the



petitioner is not named in the First Information Report, in the confessional statement of co-accused the name of the petitioner has transpired, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that besides the confessional statement there is no other material against the petitioner and he is in custody since 19.02.2016 and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,- IV Supaul, in connection with Bhaptiyahi P.S. Case No. 139 of 2014, 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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