

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50859 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -KANTI District- MUZAFFARPUR

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Raushan Shahi Son of Suresh Shahi Resident of village - Sahbajpur, P.S.
Kanti, District Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Kant Singh, Advocate

For the Opposite Party : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-11-2016

Heard the learned counsel for the petitioner and the
learned APP for the State.

Petitioner is languishing in judicial custody since
17.08.2016 in connection with Kanti P.S.Case No.9 of 2016 for
offence alleged under Section 392 of the IPC.

The prosecution case is that on 07.01.2016, the
informant was coming from Gobarsahi to his house Bisumpur
Sumer and as such he was crossing the over-bridge near Paharpur,
he was suddenly intercepted by four motorcycles and the persons
riding had kept their face covered by their handkerchief who
assaulted him. It is also alleged that miscreants snatched his
motorcycle bearing registration no.BR-06AB 8008, driving license
of the petitioner was in the dicky of the motorcycle. ATM card,
owner book, insurance paper, pan card of his father as also voter ID
and also Rs.16,500/- were snatched from the pocket of the informant.

It has been submitted by the learned counsel for the petitioner that the FIR has been lodged against unknown and in another case bearing Brahmpur P.S.Case No.138 of 2016 on the basis of the confessional statement of the petitioner, he has been alleged to have been committed the offence. He submits that nothing has been found from his possession. It has been submitted that the motorcycle and the cash has not been recovered from the possession of the petitioner and the chargesheet has already been submitted, hence there is no chance of tampering with the evidence.

However, learned APP for the State submits that during investigation, the petitioner's name surfaced, hence opposes the prayer for bail.

Considering the facts and circumstances of the case and the period of custody, let the above named petitioner 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 learned SDJM, West, Muzaffarpur in connection with Kanti P.S.Case No.09 of 2016.

(Nilu Agrawal, J)

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