

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51619 of 2016

Arising Out of PS.Case No. -201 Year- 2016 Thana -KHAIRA District- JAMUI

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Nandan Kumar Singh, son of Late Lakshaman Singh, resident of Village-
Oara, P.S.- Sono, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arjun Prasad, Advocate

For the Opposite Party : Mr. Sri Ramesh Chandra (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-12-2016

Heard the learned counsel for the petitioner and

the learned A.P.P. appearing on behalf of the State.

Petitioner is languishing in judicial custody since
01.08.2016 in connection with Khaira P.S. case no. 201 of 2016
for offence alleged under Section 392 of the Indian Penal Code.

The prosecution case as lodged by the informant
is that on 20.07.2016, informant was returning after collecting the
money from the businessman. When he arrived near Jakhraj
Asthan, he was stopped by the criminals and criminals were on
motorcycle who had looted five lacs eight thousand cash and went
away and in course of fleeing the criminals threatened the
informant. The criminals also looted the motorcycle and mobile of
the informant.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He has further submitted that the petitioner has been arrested from his house and two mobile sets and Rs. 90,000/- has been recovered. He next submits that other co-accused Binod Ram has since been granted the privilege of bail by a co-ordinate Bench of this Court by an order dated 22.11.2016 passed in Cr. Misc. no. 47724 of 2016 in whose possession, motorcycle was seized.

However, learned A.P.P. for the State submits that during investigation, the name of the petitioner surfaced and part of the money has been recovered from his possession, hence opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and submissions of the parties since other co-accused has been granted privilege of bail, let the abovenamed petitioner, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Khaira PS case no. 201 of 2016 subject to the following conditions : (i) one of the bailors should be the own close family member of the petitioner and (ii) in case of framing



of charge, the petitioner shall appear before the court below on each and every date and in default of appearance on two consecutive dates without any satisfactory explanation, the trial court shall have the liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

With these observations and directions, this bail application stands allowed.

(Nilu Agrawal, J.)

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