

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54325 of 2016**

Arising Out of PS.Case No. -48 Year- 2016 Thana -SAHAJITPUR District- SARAN

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1. Mukesh Singh, Son of Akhileshwar Singh @ Bhutely Singh, Resident of village - Harshpura, Police Station - Baniyapur, District - Saran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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

2      20-12-2016                      Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence punishable under section 392 of the I.P.C

Allegedly, the informant was stopped by a barrier of rope and when he had fallen down from the motorcycle bearing no. BR-04N 9552, his motorcycle, mobile phone and cash of Rs. 7,000/- was snatched by the miscreants. The informant ran to his village by shouting help. Villagers came and chased the miscreants and after some distance a person, namely, Rajesh Mahto having a rope, a black cloth used in covering the face and a motorcycle was recovered from him and he stated the name of two persons who were indulged in the occurrence. During



investigation the petitioner was apprehended along with two of his companions in Masrakh P.S. Case No. 223 of 2016 and the looted motorcycle was recovered from their possession.

Submission is of false implication and that the petitioner is neither named in the FIR nor anything has been recovered from his possession, name of this petitioner was surfaced in this case on the basis of the confessional statement of co-accused Sonu Kumar, the petitioner is suffering in custody since 08.08.2016 and as such now he deserves sympathetic consideration.

The learned A.P.P, on the other hand, submits that the looted motorcycle was recovered from possession of the petitioner.

In the facts and circumstances as stated above, the petitioner shall be released on bail, after completion of six months in custody from the date of his remand in this case, 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. Saran at Chapra in Sahajitpur P.S. Case No. 48 of 2016, 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)**

Abhay/-

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