

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51149 of 2016

Arising Out of PS.Case No. -146 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Surajmani @ Suryamani Kumar son of Kusheshwar Ray, Resident of
Village- Belsandi, P.S.- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate

Mr. Gajendra kumar Singh, AdvocateSingh

For the Opposite Party/s : Mr. Pancha Nand Pandit, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
21.06.2016 in connection with Bibhutipur P.S.Case No. 146 of
2016 for the offence punishable under Section 395 of the Indian
Penal Code.

The prosecution case as lodged by the informant is
that while he was going to Dalsingsarai from Rosera along with
Ajay Kumar on motorcycle and at Dahu chouk, six miscreants on
two motorcycle came there and dashed the motorcycle of the
informant and took away Rs. 2,25,000/- and clothes also.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated in the
aforesaid case, has no criminal history and there is no recovery of



any looted articles from the possession of the petitioner on being apprehended. He further submits that no T.I.P. has been done and on similar allegation an other co-accused has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 37268 of 2016 on 27.10.2016. He submits that other co-accused have since been granted the privilege of bail by the learned Court below in B.P. 555 of 2016.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and other co-accused of similar allegation has since been granted the privilege of bail, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub- Divisional Judicial Magistrate, Rosera in connection of Bibhutipur P.S.Case No. 146 of 2016.

(Nilu Agrawal, J)

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