

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7805 of 2016

Arising Out of PS.Case No. -83 Year- 2015 Thana -SHEIKHOPUR SARAI District- SEKHPURA

1. Manu Yadav son of Shri Yaddu Yadav resident of Village- Kaila, P.S.-
Sare, District- Nalanda..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh (App)

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

ORAL ORDER

4 13-05-2016 Heard learned counsel for the petitioner and learned APP for
the Sate.

The petitioner seeks bail in connection with Shekhopur
Sarai P.S. Case No. 83 of 2015 registered for the offences punishable
under Sections 395 and 397 of the Indian Penal Code.

Allegedly, six unknown persons on two motorcycle stopped
the informant who was going to Barbigha on motorcycle and pointing
out pistol snatched the motorcycle and further Rs. 69,000/- and a
mobile.

Submission is of false implication and that the petitioner is not
named in the first information report, during investigation witnesses
Kutus Singh and Santoo Singh vide paragraph 33 and 63 of the case
diary have stated the name of the petitioner that he was seen before the
occurrence along with others on motorcycle. The petitioner is in
custody since 17.12.2015 but he has not been put on test identification
parade, witnesses have not stated that they saw the petitioner or any

accused committing the crime, the petitioner has got some criminal antecedent resulting he has been implicated in this case, nothing has been recovered from possession of the petitioner and as such he deserves sympathetic consideration and similarly situated co-accused Raja has been allowed bail vide Cr. Misc. No. 1242 of 2016 by another co-ordinate Bench of this Court.

Learned APP fairly submits that other co-accused has been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Shekhopur Sarai P.S. Case No. 83 of 2015, 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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