

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10135 of 2016

Arising Out of PS.Case No. -238 Year- 2015 Thana -PIRPAINITI District- BHAGALPUR

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1. Md. Fidu @ Fida Hussain Son of Md. Khursid Alam@Md. Khursid
Resident of Village-Chhoti Kodarganna P.s Mufassil District Sahebganj
(Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. B.Ram(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-04-2016 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 offences punishable under sections 394 and 411 of the I.P.C

Allegedly, the petitioner and other co-accused snatched Rs. 600/- from the pocket of the informant and after tying his hands and feet fled away with the Tempo of the informant but due to intervention of one motorcycle passenger and the villagers the petitioner was caught but three succeeded in fleeing away and from possession of the petitioner the snatched amount of Rs. 600/- was recovered and further the Tempo was also recovered.

Submission is of false implication and that the petitioner has been made victim of the circumstances, during

investigation the name of the passenger who assisted the informant has not come, the petitioner has got no criminal antecedent and he is suffering in custody since 22.08.2015.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner was caught red handed and the snatched amount was recovered from his pocket and further the petitioner and other co-accused did not succeed in taking away the Tempo.

In the facts and circumstances as stated above, the petitioner shall be released on bail, **on completion of nine months in custody from the date of his remand**, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M- XI, Bhagalpur in Pirpainty P.S. Case No. 238 of 2015/ G.R. No. 3154 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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