

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13595 of 2016

Arising Out of PS.Case No. -167 Year- 2015 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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1. Abhinav Kumar Chandan @ Sudhir Rai Son of late Raja Prasad Rai @
Ram Chandar Rai Resident of Vill+PO- Chandwa More, Arrah ward No. 1,
PS Nawada Ara, District Bhojpur. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Roy
For the Opposite Party/s : Mr. Manoj Kumar No.1(App)

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

3 20-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Bikramganj P.S. Case No. 167 of 2015 registered for the offences
punishable under Section 392 of the Indian Penal Code and later
on Section 411 has also been added.

Allegedly, two miscreants hired Bolero vehicle of the
informant and thereafter, at the point of *Katta* and after assaulting
the informant, got down him from the Bolero and fled away with
the said vehicle and further they snatched two SIM of the
informant. During investigation, the petitioner was apprehended
with the said Bolero vehicle.

Submission is of false implication and that the
petitioner is in custody since 13.11.2015 but he has not been put

on TIP, at best it can be a case under Section 411 IPC, the petitioner has not snatched the vehicle, the alleged confessional statement made before the police has got no evidentiary value in the eye of law and, as such, he deserves sympathetic consideration to which the learned APP opposes by pointing out the alleged recovery and the petitioner has got criminal antecedent as he is involved in a case under N.D.P.S. Act.

In the facts and circumstances stated above, considering the detention of the petitioner, now he 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 A.C.J.M.-I, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 167 of 2015 subject to the conditions that one of the bailors must be 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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