

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21415 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -BIND District- NALANDA (BIHARSHARIFF)

Kunal Kumar @ Kunal Raut, son of Vijay Raut, Resident of
village/Mohalla- Amawan, P.S.- Bind, District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate.

For the Opposite Party : Mr. Renu Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-07-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Bind P.S.

Case No. 07 of 2016 registered for the offence punishable under

Section 394 of the Indian Penal Code.

Allegedly, when the informant was returning from
Barbigaha with cash of Rs. 14,000/- on a bus and got down near
Benar more and as soon as reached near the river, 3-4 miscreants
came from the bush and after assaulting the informant by means of
butt of pistol snatched cash of Rs. 14,000/- from him and fled
away. During investigation, two witnesses namely Arjun Prasad
and Vijay Prasad stated the name of the petitioner and one other
that they along with others were at the place of occurrence from
before after taking drink. On that basis, the petitioner was
apprehended and he confessed his guilt.

Submission is of false implication and that the petitioner is in custody since 10.01.2016, he has been made victim of the circumstances, no one has seen the petitioner committing the crime, he has not been put on T.I.P., nothing has been recovered from his conscious possession and only on the basis that he has got criminal antecedent, he is suffering in custody.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bind P.S. Case No.07 of 2016, subject to 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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