

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32611 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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Vikash Kumar Nirala @ Vikash Sah, Son of Subhash Prasad @ Subhash Sah, resident of village- Bherihari, Tola Bahuarwa, Police Station- Sathi, District- West Champaran at Bettiah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Section 392 of the Indian Penal Code.

The prosecution case, in short, is that on the alleged date and time of occurrence the informant was coming on motorcycle after collection of Rs.2,10,000/- from different place and as soon as he came near orchard of Dhananjay Rai, four miscreants intercepted him, due to which he fell down on the road. Thereafter the miscreants assaulted him with fists and slaps and took Rs.2,10,000/- from the dickey of his motorcycle including driving license, identity card and two mobiles etc.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.4.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. He has not been put on Test Identification Parade. There is no recovery of any incriminating article from the possession of the petitioner. It is further submitted that the petitioner may be released after completion of six months in custody from 18.4.2016.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail after completion of six months in custody from 18.4.2016 on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajiv Kumar, Additional Chief Judicial Magistrate III, Bettiah in connection with Balthar P.S. case No.26 of 2016.

(Sudhir Singh, J)

Narendra/-

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