

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41715 of 2016

Arising Out of PS.Case No. -335 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Chandan Singh @ Chandan @ Chaman, Son of Late Binda Singh, Resident of Mohalla - Nai Basti, Rauza (Bara Telpa), P.S. Chapra Town, District - Saran at Chapra

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Kumar, Advocate

For the Opposite Party : Mr. Smt. Sucheta Yadav (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-10-2016 Heard learned counsel for the petitioner and the learned counsel representing the State.

The petitioner seeks bail in connection with Chapra Town P.S Case No. 335 of 2016 registered for the offence punishable under Section 392 of the Indian Penal Code.

The petitioner is named in the F.I.R. that he and co-accused Munna Singh snatched the motorcycle from the informant and name of the petitioner and Munna Singh was disclosed by nearby persons.

Submission is of false implication and that during investigation no one has stated the name of the petitioner that he was involved in snatching the motorcycle, all the witnesses examined have stated that nearby persons told the name of petitioner and Munna Singh, Munna Singh was caught hold with

the said motorcycle and master key and not the petitioner. The petitioner without any fault is suffering in custody since 03.08.2016.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that there is no direct evidence against the petitioner, the petitioner has not been put on T.I.P., nothing has been recovered from his conscious possession and, as such, the petitioner 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 the learned Chief Judicial Magistrate, Saran at Chapra, in connection with Chapra Town P.S. Case No. 335 of 2016, 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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