

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9699 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -ISHAKCHAK District- BHAGALPUR

1. Sonu Sah @ Sonu Kumar, Son of Sri. Shankar Sah, Resident of - Mini Market Chowk, Mundichak, Police Station- Tilkamanjhi, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sanjay Kr.Panday(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 01-03-2016 Heard learned counsel for the petitioner and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

Petitioner is named in the first information report on the accusation that he along with others having armed with deadly weapons entered into the house of the informant and co-accused Radha Sah took out cash from the box whereas petitioner and his associates snatched gold chain from a woman. Petitioner and his associates also hurled bomb and made firing.

According to the prosecution case itself, at the time of alleged occurrence petitioner was armed with sword but no one has sustained any injury caused by sword blow.

Learned counsel for the informant submits that the present case ought to have been lodged under section 395 of the Indian Penal Code but police with an intent to help the accused persons minimize the sections and instituted the present case under section 379 and other minor sections of the Indian Penal Code.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VI, Bhagalpur in connection with Ishakchak (Tilkamanjhi) P.S.Case No. 05 of 2016.

(Hemant Kumar Srivastava, J)

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