

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51580 of 2016

Arising Out of PS.Case No. -570 Year- 2015 Thana -NAWADA District- NAWADA

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Vikram Dom Son of Late Rajendra Dom, resident of village - Kharidbigha,
P.S. Nawada, District - Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party : Mr. Md. Ashlam Ansari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-12-2016 Heard the learned counsel for the petitioner and the
learned APP for the State.

Petitioner is languishing in judicial custody since
18.02.2016 in connection with Nawada Town P.S.Case No.570 of
2015 for offence alleged under Sections 461 and 379 of the IPC.

The prosecution case as lodged by the informant is that
on 27.08.2015 at about 08 P.M. in the night the informant had
gone to his house after closing his Tractor show-room (Balajee
Enterprises) situated at western side from Ranchi Road in the
house of Surajdeo Prasad. On 28.08.2015 at about 7 A.M. in the
morning owner of TVS show-room informed that the shutter of his
show-room has been broken and upon that information, the
informant came to his show-room and found that in the



preceeding night unknown thieves broke the shutter of his show-room and committed theft of Rs.1,65,000/- cash after breaking the lock of the counter as well as some signed cheques of customers and would inform later regarding theft of other articles after getting knowledge from the staff.

It has been submitted by the learned counsel for the petitioner that he is not named in the FIR and has been falsely implicated in the aforesaid case and it is only on the basis of confessional statement of one Rustom Dom that the petitioner's name surfaced which has no evidentiary value in the eye of law. He further submits that as per the seizure list, a country made pistol with one live cartridge was recovered from the possession of the petitioner which has not been used in the aforesaid offence as the petitioner has been remanded in the present case from Nawada Town P.S.Case No.05 of 2016. He further submits that chargesheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

From perusal of materials on record, it appears that chargesheet has already been submitted and the petitioner's release from custody would not adversely affect his trial. Thus, in



the interest of justice and considering the period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nawada in connection with Nawada Town P.S.Case No.570 of 2015.

It is further made clear that this direction for bail is further subject to the condition that the petitioner will not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application stands allowed.

(Nilu Agrawal, J)

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