

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56348 of 2015

Arising Out of PS.Case No. -114 Year- 2015 Thana -HASPURA District- AURANGABAD

=====

Mohan Ram Son of Sri Doman Ram @ Bindeshwar Ram Resident of
Village : Kaithi Bankat, P.S. Haspura, District : Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.

For the Opposite Party/s : Mr. M. RAB (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-02-2016 Heard learned counsel for the petitioner, learned

counsel for the informant and learned A.P.P. representing the

State.

The petitioner seeks bail in connection with Haspura
P.S. Case No. 114 of 2015 registered for the offences punishable
under Sections 342, 323, 379, 436 of the Indian Penal Code.

Allegedly, the petitioner being armed with pistol
entered into the house of the informant and on pistol point
snatched gold chain from the wife of the informant and thereafter,
after closing the door, sprinkling petrol, burnt the house but due to
alarm being raised, the villagers assembled and after breaking the
lock took out the informant and his family members from his
house and the petitioner was caught and brought to police station.



Submission is of false implication and as a matter of fact, the wife of the petitioner was raped and for that she has filed Complaint Case No. 311 of 2015, the I.O. has not seized any burnt article from the house, no injury has been caused to any one, the petitioner was apprehended at once but he was empty handed and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 06.08.2015, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes by submitting that the petitioner was caught at the spot by the villagers and further the villagers took out the informant and his family members from his house and put off the fire. The complaint case has been filed on 22.08.2015 falsely only with a view to put pressure on the informant.

In the facts and circumstances stated above, considering that the petitioner was apprehended by the villagers empty handed and, as such, 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 the like amount each to the satisfaction of the Learned S.D.J.M., Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 114 of 2015 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)

sushma/-

U		T	
---	--	---	--