

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48429 of 2015

Arising Out of PS.Case No. -63 Year- 2014 Thana -GWALPARA District- MADHEPURA

Mukhtiyar Yadav son of Yugo Yadav, resident of Village- Thengha, Police Station-Saur Bazar, District- Saharsa..... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. A.Dayal APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 19-01-2016 Heard learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Gwalpara (Arar O.P.) P.S. Case No. 63 of 2014 registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegedly, three unknown miscreants snatched the motorcycle, bag containing cash of Rs. 2,240/- and mobile from the informant at the point of pistol and fled away. During investigation the petitioner was apprehended with the said motorcycle and firearm and further he confessed his guilt stating the name of the associates.

Submission is of false implication and that he is not named in the first information report, he has not been put on T.I.P. and he was caught with firearm and motorcycle and for that Madhepura P.S. Case No. 448 of 2014 and 449 of 2014 have been

registered and in both the cases the petitioner has been granted bail. The petitioner is suffering in custody since 12.09.2014 and as such he deserves sympathetic consideration to which learned A.P.P. opposes.

In the facts and circumstances stated above, considering the period of detention of the petitioner and further the charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 to the satisfaction of Sri Ashok Kumar II, Judicial Magistrate, Uda Kishunganj, District- Madhepura in connection with Gwalpara (Arar O.P.) P.S. Case No. 63 of 2014, 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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