

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31615 of 2016

Arising Out of PS.Case No. -86 Year- 2016 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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Nitidhi Pratap Chaurasia @ Chhotu Chaurasia, Son of Late Uma Shankar
Chaurasia, resident of village - Laxmipur, P.S. Rosera, District - Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sita Ram Yadav, Advocate

For the Opposite Party : Mr. Sri Anand Kishore Choudhary (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-09-2016 Heard learned counsel for the petitioner and the learned
counsel representing the State.

The petitioner seeks bail in connection with Kazi
Mohammadpur P.S Case No. 86 of 2016 registered for the offences
punishable under Section 394 of the Indian Penal Code and section 27
of the Arms Act.

Allegedly, three unknown miscreants robbed cash of Rs.
2,50,000/- (two lakh fifty thousand) from Chandra Bhusan Mishra and
Dhrub Nath Singh, who were going to deposit the same in S.B.I.,
University Campus after injured them. During investigation the name
of the petitioner transpired that he has parked the motorcycle at the
house of Parwez Alam and further the petitioner has got criminal
antecedent.

Submission is of false implication and that the petitioner is in
custody since 03.03.2016, but he has been not put on T.I.P., nothing
has been recovered from conscious possession of the petitioner and without

any legal and cogent material he is suffering in custody, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that witnesses vide para 28 and 29 of the case diary have stated that petitioner parked the motorcycle at the house of Parwez Alam. .

In the facts and circumstances stated above, considering that the petitioner has not been put on T.I.P., nothing has been recovered from the conscious possession of the petitioner, as such, the petitioner shall 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 learned A.C.J.M.-cum-Sub-Judge 1st, Muzaffarpur. in connection with Mohammadpur P.S. Case No. 86 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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