

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15634 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -AURAI District- MUZAFFARPUR

=====

Rakesh Kumar Jha Son of Devendra Jha Resident of Village-Kumhara
Vishanpur, POLice Station Dumra, District Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Hari Mohan Mishra, Advocate

For the Opposite Party/s : Smt. Asha Kumari, Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

- 2. 12-04-2017** Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

Petitioner is languishing in judicial custody
since 20.10.2016 in connection with Aurai P.S. Case No.
121 of 2016 registered for the offence punishable under
Sections 392 of the Indian Penal Code.

The prosecution case is that the informant,
while returning from his relative's place, was apprehended
by 2 to 3 persons on a gun point snatched his Pulsar
motorcycle and Rs. 8000/- from his pocket and also
snatched one Samsung Mobile phone and fled away.

It has been submitted by the learned counsel
for the petitioner that petitioner is innocent and has falsely
been implicated in the aforesaid case on the confessional
statement of one co-accused namely Nagendra Sah @



Bhaisa Singh, which has no evidentiary value in the eye of law. However, charge-sheet has been submitted. Hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and materials placed on the record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Aurai P.S. Case No. 121 of 2016, subject to the condition that one of the bailors must be a close relative of the petitioner who will file an affidavit showing his relationship with the petitioner and petitioner will appear before the police/court on each and every date, failure to appear on two consecutive dates will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

Rajeev/-

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

