

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12687 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -SIKARHATA District- BHOJPUR

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Sheo @ Om Prakash @ Shiva, Son of Dawarika Singh, Resident of
Village- Amai, P.S.- Piro (Hasan Bazar), District- Bhojpur.. Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 10-04-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Sikarhatta P.S. Case No.
53 of 2016 registered for the offence punishable under Section 392 of
the Indian Penal Code.

Allegedly, the informant after withdrawing Rs. 30,000/- from
State Bank of India, Piro was going with his mother to his village, three
motorcycle borne criminals came there and at the point of arms
snatched the bag of the informant containing cash and fled away. The
informant claimed to identify those miscreants after seeing. During
investigation the name of the petitioner transpired in the confessional
statement and further three witnesses have seen the petitioner and
others talking regarding commission of *loot-pat*.

Submission is of false implication and that the confessional
statement made before the Police has got no evidentiary value in the
eye of law and without any fault the petitioner is suffering in custody



since 19.11.2016. In this case similarly situated co-accused Rahul Yadav @ Rahul Kumar has already been allowed bail vide Cr. Misc. No. 6251 of 2017 by another co-ordinate Bench of this Court and as such the petitioner deserves sympathetic consideration.

Learned APP submits that co-accused Rahul Yadav @ Rahul Kumar has been allowed bail.

In the facts and circumstances stated above, 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 learned Sub-Divisional Judicial Magistrate, Bhojpur, Ara in connection with Sikrahatta P.S. Case No. 53 of 2016, subject to the conditions that one of the bailors must be a 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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