

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7217 of 2017

Arising Out of PS.Case No. -59 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Mohan Sharma Son of Ram Prasad Sharma, Resident of Village Sara
Mohanpur, P.S. Sadar, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2017 Heard learned counsels for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
03.01.2017 in a case registered for the offences punishable under
Section 392 of the Indian Penal Code.

The prosecution case is that the informant is an
employee of Sri Mahabir Rice Mill and on 04.02.2016 after
finishing his duty, he was going to Sakri and when he reached near
Ekbhindaa at about 10.30 P.M., where bridge was under
construction, four persons on motorcycle intercepted and snatched
the motorcycle of the informant, two mobiles and Rs. 200/-. The
informant has informed his owner regarding the occurrence.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated in the
aforesaid case. He submits that he is not named in the F.I.R. and



only on the basis of confessional statement of one Manish Kumar, his name surfaced, which has no evidentiary value in the eye of law. It has further been submitted that some of the co-accused namely, Raj Kishore Sharma and others have since been granted privilege of bail by the learned Court below itself. He further submits that charge sheet has already 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 aforesaid facts, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Sadar P. S. Case No. 59 of 2016, subject to the condition that the petitioner will appear before the Court as and when required and on failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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