

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.18729 of 2017**

Arising Out of PS.Case No. -141 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

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Prahalad Ray, Son of Anirudh Roy, Resident of Village- Ganeshpur, P.S.-  
Puraini, District- Madhepura. .... Petitioner

Versus

The State of Bihar. .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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

**ORAL ORDER**

2      15-05-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Bihariganj  
P.S. Case No. 141 of 2016 registered for the offence punishable  
under Section 392 of the Indian Penal Code.

Allegedly, four motorcycle borne criminals came on two  
motorcycles and intercepted the pick-up van of the informant and  
looted away Rs. 1,30,000/- and documents from the pick-up van of  
the informant. During investigation the name of the petitioner  
transpired in the confessional statement of co-accused Manish  
Kumar.

Submission is of false implication and that besides  
confessional statement of Manish Kumar there is no other material  
against the petitioner, nothing has been recovered from possession  
of the petitioner, he was not put on test identification parade



though he is in custody since 24.12.2016. Similarly situated co-accused Bijendra Mehta has been allowed bail vide Cr. Misc. No. 10971 of 2017 and as such the petitioner also deserves sympathetic consideration.

Learned APP fairly submits that co-accused 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 Sri Pradip Kumar Choudhary, J. M. Ist Class, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 141 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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