

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7209 of 2017

Arising Out of PS.Case No. -223 Year- 2015 Thana -KHIJARSARAI District- GAYA

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Pramod Bind @ Sultan Miyan Son of Late Chalitar Bind Resident of
Village- Saho Bigha, Police Station Ghosi, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate
For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner is permitted to make correction in the
prayer portion of this petition showing correct P.S Case number.

Petitioner is languishing in judicial custody since
16.12.2016 in connection with Khizarsari P.S. Case No. 223 of
2015 for offence alleged under Sections 395 and 397 of the Indian
Penal Code.

The prosecution case is that while the informant was
coming, some unknown criminals started firing. In the meanwhile
one of the accused came and entered into the vehicle and assaulted
him with fists and slaps and also they snatched Rs. 6000/- and fled
away.

It has been submitted by learned counsel for the
petitioner that he is innocent and has not been named in the FIR
and falsely implicated in the aforesaid case on the basis of
confessional statement of one Baudhu Paswan who was



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apprehended by the police which has no evidentiary value in the eye of law. It has further been submitted that said Baudhu Paswan has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 56238 of 2015 on 15.12.2015. It has further been submitted that nothing has been recovered from the possession of the petitioner.

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

Be that as it may, considering the facts and circumstances of the case and from materials available on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Gaya in connection with Khizarsarai P.S. Case No. 223 of 2015 subject to the condition that the petitioner shall appear before the police/Court as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Prakash/-

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