

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25102 of 2017

Arising Out of PS.Case No. -345 Year- 2014 Thana -SONEPUR District- SARAN

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Rudal Rai @ Krishna Mohan Kumar, Son of Raj Kumar Rai, resident of
Village- Anwarpur, P.S. Sadar Hazipur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate

For the Opposite Party/s : Mr. Ahtash Ali Khan, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 03-07-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with Sonapur

P.S. Case No. 345/14 for offences punishable under Section 395

of the Indian Penal Code.

The prosecution case, as lodged by the informant,

who is the driver of one M/s Jai Mata Di Food Industries, is that

while he was proceeding to Siwan by Bolero Pick-up Van and

when reached near Gandak Bridge, six persons overtook the

vehicle of the informant and stopped it. They abused the

informant, snatched his mobile, Rs. 1400/-, Voter I Card and

driving licence. Another accused pulled the informant from

driving seat and all the accused persons fled away with vehicle.



It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and has been made accused on the basis of confessional statement of other accused. He submits that petitioner is in custody since 29.11.2016 and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It is submitted that nothing has been recovered from his conscious possession and just because he is involved in other criminal cases of similar nature that he has been made accused in the present case and that no Test Identification Parade has been done so far.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 ADJ-VIII, Saran at Chapra, in connection with Sonapur P.S. Case No. 345/2014, subject to the condition that one of the bailors would be a close relative of the petitioner, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and



every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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