

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27961 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -GARKHA District- SARAN

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1. Krishna Rai S/o Tona Rai Resident of Village- Bhalua P.S. Madhowrah District Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Indu Bala Pandey, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 27-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 21.01.2017 in a case registered for the offences punishable under Section 394 of the Indian Penal Code.

The prosecution case as lodged by the informant is that the informant is an employee of Gas Agency and when he was going to deposit money in Garkha office, three motorcycle riders intercepted and looted the money on the point of gun and assaulted the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and he has been made accused only on the basis of his confessional statement before the police, which has no evidentiary value in the eye of



law. It is further submitted that that charge sheet has 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 stating therein that the petitioner is a habitual offender and as many as five cases are pending against him and some of the cases are of similar nature.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Garkha P.S.Case No. 20 of 2017, subject to the conditions that one of the bailors would be a close relative of the petitioner and the petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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