

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20759 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

=====

Shivendra Mohan @ Tarun, Son of Hari Mohan, Resident of Village-Sukki, Police Station- Patepur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 21-06-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in connection with Lalganj
P.S. Case No. 97/16 for offences punishable under Section 392 of
the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that four persons stopped the vehicle of the informant, took out
the key of vehicle, sat on the driver seat and went with the vehicle
towards Hajipur along with the informant in the vehicle. They
threw him near Jandaha in a ditch. The miscreants also took out
two mobiles, cash of Rs. 13,000/- and other valuable documents.

It has been submitted by the learned counsel for



the petitioner that he is innocent, in custody since 20.04.2016 in connection with another case and has been remanded in the present case on 06.02.2017 on the confessional statement of one Uttam Kumar, which has no evidentiary value in the eye of law. He submits that the petitioner is a student of engineering college at Bhopal and has come to see his ailing mother, but has been arrested in the earlier case and remanded in the present case by the police falsely. It is further submitted that nothing has been recovered from his conscious possession and no T.I.P has been done so far and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is a habitual offender as earlier for similar offence he is in custody, hence, 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 97/16, subject to the condition that the petitioner will 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 bond.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

