

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24885 of 2017

Arising Out of PS.Case No. -120 Year- 2016 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Rup Lal Kumar Sah @ Ruplal Sah, son of Late Raj Kumar Sah, resident
of Village- Khairhinia, Police Station- Dhaka, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 03-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 06.02.2017 in a
case registered for offences punishable under Sections 395 of the
Indian Penal Code and Section 27 of Arms Act.

The prosecution case as lodged by the informant is that
after closing of his cloth shop, while he was returning home, two
persons on motorcycle chased and assaulted with chura and fired
on him, which did not hit him but he sustained injuries and they
snatched Rs. 14000/-, Samsung mobile and one motorcycle and
took away his voter Identity Card, PAN Card and other
belongings.

It has been submitted by the learned counsel for the
petitioner that he is innocent, is not named in the F.I.R. and his



name surfaced only on the confessional statement of other co-accused Mithu Kumar @ Jangali @ Jangali Baitha , who on being apprehended confessed the name of the petitioner and other co-accused, who were involved. It has further been submitted that charge sheet has already 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.

Considering the facts and circumstance of the case and materials on record , let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 8th, Motihari in connection with Patahi P.S.Case No. 120 of 2016, subject to the condition that the petitioner will appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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