

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25839 of 2017

Arising Out of PS.Case No. -149 Year- 2015 Thana -MADANPURA District- AURANGABAD

=====

Amarjeet Kumar S/o Devi Lal Yadav R/o Village-Dema, P.S.-Hariharganj,
District- Palamu

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
16.09.2016 in connection with Sessions Trial No. 151 of 2017/ 23
of 2017, G.R. No. 2199 of 2015, arising out of Madanpur P.S.
Case No. 149 of 2015 registered for the offence punishable under
Section 392 of the Indian Penal Code. Later on, Sections 395 and
412 of the Indian Penal Code were also added.

The prosecution case, as lodged by the informant, is
that he was posted in Sherghati as Block Supply Officer and while
he was returning to his home at Aurangabad on his Pulsar
motorcycle, four criminals on two motorcycles intercepted his
motorcycle and snatched all belongings, including licence and



mobile.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and merely because earlier criminal cases have been lodged against him, he has been made accused in the present case. He submits that petitioner has been falsely implicated in the aforesaid case only on the basis of confessional statement of co-accused, Vishnu Kumar Sao and his own confessional statement. It is further submitted that no Test Identification Parade has been done so far and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. He submits that in as many as 15 cases, he has been made accused, although he has not been named in the First Information Report of any of those cases.

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

Considering the facts and circumstances and the materials 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 Chief Judicial Magistrate, Aurangabad (Bihar) in connection with Sessions Trial No. 151 of 2017/ 23 of 2017, G.R.



No. 2199 of 2015, arising out of Madanpur P.S. Case No. 149 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner, who would file an affidavit stating his relation with the petitioner and that the said bailor must have sufficient immovable properties within the territorial jurisdiction of the concerned P.S./ Court. Petitioner will also appear before the learned Court below during trial 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.)

Arjun/-

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

