

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23333 of 2017

Arising Out of PS.Case No. -4 Year- 2016 Thana -KUTUMBA District- AURANGABAD

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Amar Khuswaha Son of Chatur Mahto Resident of Village - Ramanuj Ganj,
P.S. - Ramanuj Ganj District : Balrampur (Chhatisgarh).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 30-06-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Kutumba
P.S. Case No. 4 of 2016 registered for the offence punishable
under Section 394 of the Indian Penal Code.

Allegedly, when the informant with his friend were
returning from motorcycle, three motorcycle borne criminals over
took the motorcycle of the informant and after opening fire which
hit on the left knee of the informant snatched Rs. 7,000/-, a mobile
and the aforesaid bike of the informant and fled away.

Submission is of false implication and that the petitioner
is not named in the first information report, he is in custody since
01.01.2017 but he has not been put on test identification parade,
nothing has been recovered from his conscious possession, his



name has transpired in the confessional statement of co-accused Amarjeet Kumar and Vishnu Kumar, besides that there is no other material against the petitioner.

Learned APP submits that the petitioner has got criminal antecedent also.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VII, Aurangabad in connection with Kutumba P.S. Case No. 04 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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