

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25917 of 2017

Arising Out of PS.Case No. -1151 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Sarbind Kumar Sharma Son of Yugeshwar Sharma, Resident of Village-
Raipur, P.S.- Ujiyaarpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in custody since
22.02.2016 in connection with Trial No. 641/16, arising out
of Ahiyapur P.S. Case No. 1151/15 for the offences alleged
under Section 394 of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that four criminals on two motorcycles snatched away his
motorcycle.

It has been submitted by the learned counsel for
the petitioner that he is not named in the First Information
Report and it is only on the basis of suspicion and
confessional statement of other co-accused that his name has



surfaced as also on his own extra judicial confessional statement, which has no evidentiary value in the eye of law. He submits that simply because the petitioner has a criminal antecedent that he has been made accused in the present case and 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 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 learned Sub-Judge 15th cum Addl. Chief Judicial Magistrate, Muzaffarpur in connection with Tr. No. 641/2016, arising out of Ahiyapur P.S. Case No. 1151/15, subject to the condition that one of the bailors would be a close relative of the petitioner, who would have sufficient immovable property within the jurisdiction of the concerned police station and who will file an affidavit indicating his relation with the petitioner and that petitioner will appear before the learned Court below on each and every date and



failure to appear on two consecutive dates without assigning
any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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