

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43122 of 2017

Arising Out of PS.Case No. -142 Year- 2016 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

=====

Indresh Kumar Son of Sunil Singh, R/o Village- Dayalpur Sidhauili, P.S.-
Raja Pakar (Barati O.P.) in the District of Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Industrial Area
(Hajipur) P.S. Case No. 142 of 2016 for offences punishable under
Section 395 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case, as lodged by the postal officials,
is that while Rs. 5,50,000/- old currency notes were being taken
with two security guards two persons on gun point snatched the
money and rode away in two motorcycles.

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



surfaced only on the basis of his confessional statement before the police which has no evidentiary value in the eye of law. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that he is languishing in judicial custody since 28.11.2016.

However, learned APP for the State opposes the prayer for bail stating therein that old currency notes of Rs. 2,84,000/- has been recovered from the house of the petitioner.

Considering the facts and circumstances and the materials on record, and the period of custody, 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 Industrial (Hajipur) Area P.S. Case No. 142 of 2016, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear



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

(Nilu Agrawal, J)

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