

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26394 of 2017

Arising Out of PS.Case No. -109 Year- 2016 Thana -JAYNAGAR District- MADHUBANI

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1. PRABHAKAR KUMAR SINGH @ BHOLA THAKUR @ LALA THAKUR Son of Ram Kalewar Singh @ Ram Kalewa Thakur, R/o Village- Narar North Tola, P.S.- Kaluahi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Mr. Manoj Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

Petitioner is languishing in custody since 23.01.2017 in connection with Jainagar P.S. Case No. 109 of 2016, G.R. No. 1033 of 2016 for the offences alleged under Section 414 of the Indian Penal Code.

The prosecution case, lodged by the police personnel, is that on information that a stolen motorcycle has been caught, they proceeded and co-accused Pappu Kumar Yadav was apprehended who confessed before the police that he had purchased the alleged stolen motorcycle from the petitioner.

It is submitted by the learned counsel for the petitioner that petitioner has been falsely implicated in this case, nothing has



been recovered from the possession of the petitioner, his name surfaced on the confessional statement of co-accused before the police, which has no evidentiary value in the eye of law.

However, learned A.P.P. for the State submits that the petitioner does not have a clean antecedent and hence, opposes the prayer of 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 Chief Judicial Magistrate, Madhubani in connection with Jainagar P.S. Case No. 109 of 2016, G.R. No. 1033 of 2016, subject to the condition that since the case of similar offence is pending against the petitioner, if the petitioner indulges in an offence of similar nature, in future the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Nilu Agrawal, J)

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