

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39840 of 2017

Arising Out of PS.Case No. -399 Year- 2017 Thana -SAHARSA District- SAHARSA

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1. Rakesh Sinha @ Verma Son of Arbind Kumar Sinha Resident of Village-
Refugge Colony, Ward No. 22, P.S. +District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Smt. Sharda Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
06.05.2017 in connection with Saharsa P.S. Case No. 399/2017 for
offences punishable under Section 392 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was at the counter of godown being staff of Gupta
Brothers, the petitioner along with five other miscreants in two
motorcycles came and on gun point snatched Rs. 1 lac from the
chest and also two mobiles of the informant.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and nothing has been recovered from his conscious
possession. Subsequently he has been remanded in another case



being Saur Bazar P.S. Case No. 158/2017 on the confessional statement of co-accused 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.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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, Saharsa, in connection with Saharsa P.S. Case No. 399/2017, subject to the condition that one of the bailors would be a close relative of the petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds. Petitioner is also directed to appear before the concerned police station in the first week of every two months.

(Nilu Agrawal, J)

Rajesh/-

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