

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45913 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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Balwant Chaudhary @ Loha Singh S/o Late Prithvi Choudhary, resident of
Village- Maranchi Khurd, P.S.- Bachhwara, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

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

For the Opposite Party/s : Smt. Suman Kumari Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Bibhutipur P.S. Case No.
31 of 2017 registered under Section 379/34 of the Indian Penal
Code.

As per the prosecution case, the petitioner along
with other accused persons is said to have snatched bag of the
informant containing Rs. 25,000/- and ATM Card. The petitioner
was apprehended after giving chase, but his accomplice namely
Md. Wasi Aalam @ Basua managed to escape along with the
snatched bag.

It is submitted by learned counsel for the petitioner
that the petitioner was not apprehended on the spot. Nothing



incriminating article has been recovered from his conscious physical possession. The prosecution story that after the occurrence, the informant gave information to his brother on phone and on arrival of her brother, she gave chase to the miscreants and apprehended the petitioner on chase is not acceptable as the miscreants are said to have fled away on motorcycle immediately after snatching the bag of the informant. He has been falsely implicated in the case due to village politics and caste rivalry. He has been languishing in custody since 17.02.2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate-IV, Rosera in connection with Bibhutipur P.S. Case No. 31 of 2017.

(Prakash Chandra Jaiswal, J)

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