

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49406 of 2017

Arising Out of PS.Case No. -155 Year- 2017 Thana -MITHANPURA District- MUZAFFARPUR

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Shubham Kumar, Son of Dinesh Mahto, Resident of Mohalla-Purani
Gudari, In Front of Shani Temple, P.S. Town Muzaffarpur, District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sri Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **17-10-2017** Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections 379 and 411 of
the Indian Penal Code.

The FIR discloses that the petitioner has snatched
mobile form the sister of the informant.

Counsel for the petitioner submits that he has falsely
been implicated in the instant case as there is neither any seizure
list to support the allegation nor any such mobile is said to have
been handed over to the police. He further submits that the reason
behind lodging of the instant FIR is that prior to the alleged
occurrence the informant was dashed by the petitioner while he
was riding his bicycle for which the informant had threatened the



petitioner. He further submits that though there are details of cases which has been disclosed in para 3 of the petition but in the said cases he is on bail. Petitioner is in custody since. 24.05.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, East Muzaffarpur in Mithanpur P.S. Case No. 155 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.
- (iii) That the Petitioner will be well represented on each date



and if he fails to do so on two consecutive dates, his bail
will be liable to be cancelled.

Prakash/-

(Madhuresh Prasad, J)

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