

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47721 of 2017

Arising Out of PS.Case No. -569 Year- 2017 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Sunil Nut, Son of Raj Kumar Nut, Resident of Village- Bada Banrasiya
Tola, P.S.- Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
01.05.2017 in connection with Sasaram (M) P.S. Case No. 569 of
2017 for offences punishable under Sections 392/411 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that he along with two persons was returning from Sasaram in his
motorcycle, three miscreants named in the First Information
Report including the petitioner snatched Rs. 30,000/-, gold chain,
Hanuman locket and mobile on gun point.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case because of being on inimical terms with the informant. He submits that he is known to the informant and it is not possible that a known person will commit such offence. He further submits that the petitioner is involved in two more cases but they are of the year 2008-09 under different sections of the Indian Penal Code. It is further submitted 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 stating therein that some robbed articles were recovered from the possession of the petitioner.

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, Sasaram, in connection with Sasaram (Muffasil) P.S. Case No. 569/2017, 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.
- (iii) 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.

(Nilu Agrawal, J)

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