

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40734 of 2017**

Arising Out of PS.Case No. -123 Year- 2016 Thana -CHARIABARIYARPUR District-  
BEGUSARAI

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1. Chhotu Kumar Son of Meghu Mahto, R/o Village- Khokhsaha, P.S.-  
Bibhutipur, District- Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      29-08-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in connection with Cheriya  
Bariyarpur (Manjhaul) P.S. Case No. 123/2016 for offences  
punishable under Section 394 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that while he was returning in his motorcycle, three motorcycle  
borne miscreants snatched his motorcycle on pistol point.

It has been submitted by the learned counsel for the  
petitioner that he is innocent, there was no criminal antecedent  
prior to the present case and one case i.e. Cheriya Bariyarpur P.S.



Case No. 197/2016 has been lodged after the present case in which on his extra-judicial confessional statement before the police, which has no evidentiary value in the eye of law, he has been made accused. He submits that no T.I. Parade has been done so far and he is languishing in judicial custody since 28.03.2017.

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 Addl. Chief Judicial Magistrate, Manjhaul, Begusarai in connection with Cheriya Bariyarpur (Manjhaul) P.S. Case No. 123/2016, 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.

**(Nilu Agrawal, J)**

Rajesh/-

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