

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7637 of 2017

Arising Out of PS.Case No. -349 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

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Suraj Sahani S/o Panchu Sahani, Resident of Mohalla- Bhatiyari Sarai,
Dighi Pond, Mishra Tola, P.S.- Town Darbhanga, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3. 13-04-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
05.09.2016 in connection with Sadar P.S. Case No. 349 of
2016 registered for the offence punishable under Sections 401,
411, 413, 414, 420, 467, 468, 120(B)/34 of the Indian Penal
Code.

The prosecution case is that the police during
investigation of another case apprehended one Niraj Mahto,
who disclosed the name of many other persons, petitioner is
one of them who was involved in theft of motorcycle and
mobile.

It has been submitted by learned counsel for the
petitioner that petitioner is innocent and has no criminal
history and that he has been made an accused on the



confessional statement of one Niraj Mahto, which has no evidentiary value in the eye of law.

It has further been submitted by the learned counsel for the petitioner that other accused persons, named by Niraj Mahto, have since been granted privilege of bail by coordinate Benches of this Court vide order dated 07.04.2017 passed in Cr. Misc. No. 13537/2017 and vide order dated 17.03.2017 passed in Cr. Misc. No. 8756/2017. Learned counsel for the petitioner submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, in connection with Sadar P.S. Case No. 349 of 2016.

(Nilu Agrawal, J.)

Rajeev/-

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