

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7388 of 2017

Arising Out of PS.Case No. -146 Year- 2014 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Md. Seraj @ Raju, son of Md. Aslam, resident of Village- Chainpura,
P.S.- Bihar, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Sharma

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 23-03-2017 A supplementary affidavit has been filed on behalf of the

petitioner disclosing that the petitioner is in custody since
29.11.2016 and not since 11.08.2016, as mentioned in para 5 of
the application. Further, some of the criminal antecedents of the
petitioner was not given in para 3 which is also mentioned in the
supplementary affidavit.

Let it be kept on record.

Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bihar P.S.
Case No. 146/2014, registered for the offences punishable under
Sections 392 and 411 of the Indian Penal Code.

Allegedly, the informant Laxmi Devi was robbed by



three miscreants and out of them, one miscreant was caught after chase and from his possession looted rolled-gold chain was recovered and he disclosed the name of the petitioner and Md. Lakho, who succeeded in fleeing away by taking rest looted articles.

Submission is of false implication and that the petitioner is in custody since 29.11.2016. He has not been put on Test Identification Parade. Merely on the naming by co-accused he is suffering in custody. No any witness has identified the petitioner. Charge-sheet has already been submitted. There is no chance of tampering with the evidence and as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer for bail.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of 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, Nalanda, Bihar Sharif in connection with Bihar P.S. Case No. 146/2014, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain



present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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