

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27955 of 2017

Arising Out of PS.Case No. -238 Year- 2016 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Sanjeev Patel @ Sanjeev Kumar Patel S/o Lal Babu Patel, Resident of
Mohalla- Rajguru Chowk, P.S.- Bettiah Town, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 27-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in Bettiah Muffasil P.S.Case
No. 238 of 2016 registered for offences punishable under Sections
395 and 397 of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution case as lodged by the informant is
that on his way returning home after closing his GAS Agency, two
motorcycle miscreants looted cash of Rs. 6,87,000/- and key of
the motorcycle from the informant.

Learned counsel for the informant submits that he
is innocent, not named in the F.I.R. and on the basis of



confessional statement of another co-accused, Shesh patel @ Sheshnath Patel that his name surfaced. He submits that another co-accused, Shesh Patel has been granted the privilege of bail by Co-ordinate Bench of this court in Cr. Misc. No. 11120 of 2017 dated 25.04.2017. He submits that no T.I.P. has been held up till now and no recovery has been made from the conscious possession of the petitioner and he is in custody since 09.01.2017. It is further submitted that charge sheet has already been submitted and there is no allegation of tampering with the prosecution evidence against the petitioner,

However, learned A.P.P. for the State submits that the petitioner does not have a clean antecedent and as many as seven cases are pending against him. Some of the cases are of similar nature, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil P.S.Case No. 238 of 2016, subject to the conditions that one of the bailors would be a close relative of the petitioner and the petitioner will appear



before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is further made clear that if the petitioner is involved in a similar nature of offence 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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