

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35536 of 2017

Arising Out of PS.Case No. -182 Year- 2017 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Gautam Kumar son of Chandra Shekhar Singh resident of mohalla -
Kuraich (Mahavir Asthan), P.S. Sasaram Town, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
20.02.2017 in connection with Sasaram Muffasil P.S. Case No.
182/2017 for offences punishable under Section 395 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that he is nephew of the truck owner and while taking the truck
from Kargahar to Sasaram some miscreants had put nail on the
road, as such, his truck got punctured and four unknown accused
persons took away cash, other articles and mobile from the truck.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information



Report and has been falsely implicated in the aforesaid case. He submits that some of the co-accused have been granted privilege of bail by Coordinate Benches of this Court in Cr. Misc. No. 27290 of 2017 on 01.07.2017 and Cr. Misc. No. 30594 of 2017 on 06.07.2017. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that no Test Identification Parade has been done so far.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner has a criminal antecedent and one case of similar nature is pending against him.

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, Rohtas, Sasaram, in connection with Sasaram Muffasil P.S. Case No. 182/17, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that 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. It is also made clear that 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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