

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39884 of 2017

Arising Out of PS. Case No.-121 Year-2015 Thana- SHIWAPATHI District- Muzaffarpur

Chitranjan Rai, S/o Pragas Rai, Resident of Village-Motanazey, P.S. Tariyani,
District-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-09-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 25.07.2016 in connection with T.R. No. 1016 of 2017 arising out of Siwaipatti P.S. Case No. 121 of 2015 registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he was returning on a motorcycle to receive his brother, four accused persons on a motorcycled intercepted his motorcycle and on gun point snatched away his motorcycle, ATM card, mobile and other important documents.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and just because the petitioner has a criminal antecedent,



although under different sections of the Indian Penal Code, that the petitioner has been made accused. He submits that trial is going on and petitioner is languishing in judicial custody for more than a year, hence, a sympathetic consideration be given.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 9th Sub Judge-cum- Additional Chief Judicial Magistrate, Muzaffarpur in connection with T.R. No. 1016 of 2017 arising out of Siwaipatti P.S. Case No. 121 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner and that if, in future, petitioner indulges in an offence of similar nature, 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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