

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34679 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -BHELDI District- SARAN

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1. Sanjay Kumar S/o Nagendra Singh resident of village - Derni, P.S. - Derni, District - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. SriUma Shankar Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 22-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
26.03.2017 in connection with Bheldi P.S. Case No. 47/2017
for offences punishable under Section 395 of the Indian Penal
Code.

The prosecution case, as lodged by the Branch
Manager, is that four miscreants entered the Bank after
covering their faces and took away Rs. 4,99,600/- from the
Bank.

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 his own extra-judicial self confessional statement before the police has no evidentiary value in the eye of law and motorcycle recovered from the house of the petitioner was not used for the occurrence. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is involved in one more case of similar offence in the past and the motorcycle recovered was stolen one.

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 Addl. Chief Judicial Magistrate, XIIth, Saran at Chapra, in connection with Bheldi P.S. Case No. 47/2017, 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 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)

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