

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47504 of 2017

Arising Out of PS.Case No. -108 Year- 2015 Thana -SINGHESHWARASHTHAN District -
MADHEPURA

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1. Sonu Singh son of Late Nawal Kishore Singh @ Late Nawal Singh
Resident of Village Rampatti, Police Station - Singheshwar, District -
Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Reebha Kumari

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 28-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
05.07.2015 in connection with Singheshwar P.S. Case No. 108 of
2015 for offences punishable under Section 392 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while he was going in his motorcycle three miscreants on gun
point snatched his motorcycle, purse containing Rs. 15,000/-,
mobile and other documents. Petitioner was identified by the
informant.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that just because he has a criminal antecedent, he has been made accused by the police in large number of cases of similar offence including the present case. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and he is languishing in judicial custody since more than two years.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and has been made accused in 10 cases, although, he has been acquitted in two cases of similar nature.

Considering the facts and circumstances and the materials on record and the period of custody, 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, Madhepura, in connection with Singheswar P.S. Case No. 108 of 2015, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the



petitioner.

- (ii) 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.
- (iii) 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.
- (iv) Petitioner will also appear before the concerned police station in the first week of every month and mark his attendance for one year.

(Nilu Agrawal, J)

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