

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38678 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -HATHAURI District- MUZAFFARPUR

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Sudhanshu Kumar, Son of Hari Shankar Mishra, Resident of Village-Besari,
P.S. -Hathauri, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner is languishing in judicial custody
since 23.03.2017 in connection with Hathauri P.S. Case
No. 13 of 2017 registered for the offence punishable
under Sections 356 and 379 of the Indian Penal Code.

The prosecution case, as lodged by the
informant, is that while he was returning home, some
miscreants snatched his motorcycle.

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 he has a criminal antecedent, his confessional statement was recorded by the police, which has no evidentiary value in the eye of law. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner and another co-accused were found with the alleged motorcycle.

Considering the facts and circumstances and the materials on record as well as the period of custody, let the petitioner above named 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 Sub-Judge X cum A.C.J.M., Muzaffarpur in connection with Hathauri P.S. Case No. 13 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner and that if, in future, petitioner is found to have indulged 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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