

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15567 of 2017**

Arising Out of PS.Case No. -53 Year- 2016 Thana -SIKARHATA District- BHOJPUR

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Sunny Singh, Son of Krishna Singh, Resident of Village-Amai, P.S. Piro,  
District Bhojpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      12-04-2017                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
19.08.2016 in connection with Sikrahatta P.S. Case No. 53/2016  
registered for the offence punishable under Section 392 of the  
Indian Penal Code.

The prosecution case is that after withdrawing Rs.  
30,000/- from the Bank while the informant and his mother were  
returning to village, three motorcycle borne criminals came there  
and at the point of arms snatched the bag of the informant  
containing cash and fled away. Informant claimed to identify those  
miscreants if seen.

It has been submitted by the learned counsel for the



petitioner that he is innocent, First Information Report has been lodged against unknown and it is only on the basis of his own confessional statement and the confessional statement of one Sheo @ Om Prakash @ Shiva that the petitioner has been made accused. It is submitted that nothing has been recovered from his conscious possession and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It is further submitted that other co-accused Rahul Yadav @ Rahul Kumar and Sheo @ Om Prakash @ Shiva have already been granted the privilege of bail by Coordinate Benches of this Court in Cr. Misc. No. 6251 of 2017 on 08.03.2017 and Cr. Misc. No. 12687 of 2017 on 10.04.2017 respectively.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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 Addl. Chief Judicial Magistrate Ist, Bhojpur at Ara in connection with Sikrahatta P.S. Case No. 53/2016, subject to the condition that since the petitioner has a criminal history of



similar kind of offences, if in future, the petitioner indulges in similar kind of offence, his bail bonds will be liable to be cancelled.

**(Nilu Agrawal, J)**

Rajesh/-

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