

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27005 of 2017

Arising Out of PS.Case No. -150 Year- 2017 Thana -TEKARI District- GAYA

1. MD. MUSTAQUE @ MD. MUSTQUE, Son of Md. Kamal, resident of Village- Dumra, P.S.- Chandauti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 04-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Tekari (O.P.) Panchanpur P. S. Case No. 150 of 2017 in a case registered for offences punishable under Section 379 of the Indian Penal Code.

The prosecution case as lodged by the informant is that while he was opening his jewelry shop, one person snatched his bag containing jewelry worth about Rs. one lakh forty thousand along with key of shop and the petitioner was found standing near a motorcycle. It is alleged that along with the petitioner there was another co-accused Pappu Gram Mansari, who has snatched jewelry bag and both of them, fled away in the motorcycle.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. The allegation of snatching the jewelry is upon another co-accused and no overt act has been committed by the petitioner. He submits that the motorcycle also does not belong to him. He submits that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

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

Considering the facts and circumstance of the case and materials on record, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- VI at Gaya in connection with Tekari (O.P.) Panchanpur P. S. Case No. 150 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner who will have sufficient immovable property within the jurisdiction of the concerned police station who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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