

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43605 of 2017

Arising Out of PS.Case No. -104 Year- 2017 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====

Sahadat Sah Son of Banarsi Sah, R/o Village- Saraiya, P.S.- Durgawati,
District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
27.05.2017 in connection with Durgawati P.S. Case No. 104 of
2017 for offences punishable under Section 394 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while he was taking a truck loaded with sand and was near his
house one person came and demanded money which was objected
by him. Thereafter three others came and forcefully snatched Rs.
30,000/- and one mobile. The villagers stated that they had seen
the petitioner along with two others running.



It has been submitted by the learned counsel for the petitioner that he is innocent, has not committed any offence and bears no criminal history. He submits that no T.I. Parade has been done so far and nothing incriminating has been recovered from his possession and that he has made accused only on the basis of his confessional statement before 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 of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

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 Judicial Magistrate-1st Class Kaimur at Bhabua in connection with Durgawati P.S. Case No. 104 of 2017, subject to the conditions that:

- (1) 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.
- (2) 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)

Devendra/-

U		T	
---	--	---	--

