

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47458 of 2017

Arising Out of PS.Case No. -429 Year- 2017 Thana -KANKARBAGH District- PATNA

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Md. Sohrab Alam @ Chhotu Son of Md. Sayeed resident of Nayatola
Naharpar, P.S. - Phulwari Sharif, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambuj Nayan Chaubey

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kankarbagh
P.S. Case No. 429 of 2017 for offences punishable under Sections
413, 414, 420, 467, 468 and 471 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that while on duty and checking of vehicles, the
petitioner was found fleeing away in a motorcycle and when asked
to produce paper he could not produce the same and on being
apprehended, he revealed the names of five other persons who
were involved in loot of two wheelers for the purpose of selling.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case because 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 he is languishing in judicial custody since 18.06.2017. He submits that after the present case the petitioner has been made accused in three more cases of similar nature.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender as confessed by him and also that three cases of similar nature are pending against him.

Considering the facts and circumstances and the materials on record as well as 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 Judicial Magistrate 1st Class, Patna in connection with Kankarbagh P.S. Case No. 429 of 2017, subject to the conditions that :

- (i) Both the bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their 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 court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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