

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52733 of 2017

Arising Out of PS.Case No. -235 Year- 2015 Thana -RANIGANJ District- ARRARIA

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1. Bampi Singh Son of Neeraj Singh Resident of Village- Tamghati, Police Station- Bousi, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Sri Panchanand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-11-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 20.07.2017 in connection with Raniganj P.S. Case No. 235 of 2015 for offences punishable under Section 392 of the Indian Penal Code although charge-sheet has been submitted under Sections 392 and 411 of the IPC.

The prosecution case, as lodged by the informant, is that while he was traveling in his motorcycle, two miscreants on two motorcycles intercepted and forcibly took his motorcycle.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and has been falsely implicated in the present case. He submits that his name



has been surfaced only on the confessional statement of Co-accused Nitesh Kumar, who was the co-villager and on inimical terms with the petitioner and the confessional statement before the police 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 stating therein that the petitioner is an accused in one more case of very serious nature.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail **after completion of six months in custody** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Araria, in connection with Raniganj P.S. Case No. 235 of 2015 subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that 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. It is also made clear that 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)

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