

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36182 of 2017**

Arising Out of PS.Case No. -42 Year- 2017 Thana -TARAPUR District- MUNGER

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Sagar Kumar @ Nehal son of Kranti Yadav resident of village - Naya Tola,  
Jurabganj, P.S. - Kordha, District - Katihar.

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Uma Shankar Prasad Singh

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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

3      25-08-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
07.03.2017 in connection with Tarapur P.S. Case No. 42 of 2017  
for offences punishable under Section 392 of the Indian Penal  
Code.

The prosecution case, as lodged by the informant, is  
that while he was returning from the market along with some  
construction materials with cash of Rs. 16,000/- two motorcycle  
borne criminals snatched the bag and tried to flee away but the  
driver of the motorcycle was apprehended and the other pillion



rider managed to escape.

It has been submitted by the learned counsel for the petitioner that he is innocent, nothing has been recovered from his conscious possession and the motorcycle that was recovered from his possession was his own. He submits that charge-sheet has already been submitted hence there no chance of tampering with the prosecution witnesses by the petitioner and he has been made accused only because of his criminal antecedent.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is involved in two more cases of similar nature.

Considering the facts and circumstances and the materials on record and 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 Additional Chief Judicial Magistrate-IV, Munger in connection with Tarapur P.S. Case No. 42 of 2017, 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/ court, who will file an affidavit stating his relationship with the petitioner 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/-

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