

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28126 of 2018

Arising Out of PS.Case No. -86 Year- 2017 Thana -PATORI District- SAMASTIPUR

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1. Digvijay Singh @ Vijay Singh Son of Late Kapildeo Singh resident of village - Lawapur Chowk, P.S. - Mahnar, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner and the learned
APP for State.

The petitioner is languishing in judicial custody since 08.03.2017 in connection with Patory P.S. Case No. 86 of 2017 for offenses punishable under Sections-457, 380, 411/34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that while he was away from his house, his house was burgled and number of household articles along with the motorcycle was stolen.

It has been submitted by the learned counsel for the petitioner that he is innocent. The petitioner is not named in the FIR and only on the basis of recovery of the stolen motorcycle



from his possession, he has been made accused in this case. It is been submitted that no other stolen article has been recovered from his possession and charge sheet has already been submitted. The petitioner is languishing in judicial custody since more than one year two months.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear clean antecedent and he is involved in three more cases relating to similar offences.

Considering the facts and circumstances and material available on record and the period of custody, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Patory P.S. Case No. 86 of 2017, subject to the following conditions:

1. One of the bailers 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)

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