

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36969 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- DEEPNAGAR District- Nalanda

Shivam Kumar S/o Late Binda Yadav @ Binda Rai, R/o Vill.- Bidupur, P.S.- Bidupur, District- Vaishali, At present- Tezpur Town, Tezpur, Ward No. 19, P.S.- Tezpur, district- Sonipur (Assam).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Dipnagar P.S Case No. 109 of 2018 registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegedly, black colour bag containing cash of Rs. 50,000/-, mobile, passbook and also amount of Rs, 2,000/- was snatched by two motorcycle borne criminals from the informant and during investigation the said bag, mobile, passbook, wrist watch and cash of Rs. 1322/- were recovered in abandoned condition. The petitioner was apprehended with motorcycle in suspicious condition and he confessed his guilt.

Submission is of false implication and that there is no legal and cogent material against the petitioner and he is



suffering in custody since 19.04.2018 having no criminal antecedent, save and except the confessional statement of the petitioner, there is no other material and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. submits that the petitioner has confessed his guilt.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, in connection with Dipnagar P.S. Case No. 109 of 2018, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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