

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38031 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -DARAUNDHA District- SIWAN

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Nanhey Singh @ Mrityunjay Singh, Son of Chitranjan Singh, Resident of
Village- Karsaut, P.S. Daraundha, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2018 Petitioner is permitted to make necessary correction in
para-13 of his petition stating the correct period of custody.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
12.03.2018 in connection with Daraundha P.S. Case No. 14 of
2018 for offences punishable under Section 394 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while he was on his way in a motorcycle, three miscreants
snatched away Rs. 3000/-, mobile and 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 his name



surfaced on the statement of spy and his own extra judicial confessional statement before the police which has no evidentiary value in the eye of law. He submits that just because he has criminal antecedent, he has been made accused in the present case and successively three more cases have been lodged against him after the present case. It is further submitted that no T.I. Parade has been done so far, nothing has been recovered from the conscious possession of the petitioner and charge-sheet has already been submitted.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent.

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 Additional Chief Judicial Magistrate-XI, Siwan in connection with Daraundha P.S. Case No. 14 of 2018, subject to the conditions that:

- (1) One of the bailors 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)

Devendra/-

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