

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37924 of 2018

Arising Out of PS. Case No.-244 Year-2017 Thana- TATARPUR District- Bhagalpur

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Babban Kumar @ Babban Singh @ Harash S/o Satyendra Kumar Singh @
Satyendra Kumar , R/o Mohalla- Mandroza, near S.K.P. Vidya Bihar, P.S.-
Tatarpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
28.10.2017 in connection with Tatarpur P.S. Case No. 244 of
2017 for offences punishable under Sections 386, 34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was returning in his motorcycle along with his son,
he received a phone call, thereafter on the way co-accused
Pappu Sonar armed with firearm along with his accomplices
stopped the informant and snatched gold ring, cash worth Rs. 3
lakhs and also asked him to pay rangdari of Rs. 5 lakhs and Rs.
2 lakhs per month for which repeated phone calls were made.



It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R and it is only on the basis of suspicion that he has been made accused in the present case. He submits that no T.I. Parade has been done so far and simply because he is accused in three more cases, he has been made accused in the present case. It is further submitted that the allegation is against Pappu Sonar, against whom 18 criminal cases are pending and only 3 cases are pending against the petitioner. It is also submitted that co-accused, named in the F.I.R., has been granted privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 8038 of 2018 vide order dated 09.02.2018.

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, 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-VII, Bhagalpur, in connection with Tatarpur P.S. Case No. 244 of 2017, subject to the following conditions :



- (i) 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.
- (ii) 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.

(Nilu Agrawal, J)

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