

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58839 of 2018

Arising Out of PS.Case No. -74 Year- 2017 Thana -NIRMALI District- SUPAUL

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1. Pankaj Kumar Sah @ Pankaj Kumar, Son of Umesh Kumar Sah, resident of Nirmali Ward No.7, P.S.- Nirmali, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Nirmali P.S. Case No.74 of 2017 registered for the offence punishable under Section 392 of the Indian Penal Code.

As per F.I.R. two miscreants came on a motorcycle and stopped the informant and took away cash from the dickey of informant's motorcycle. Another miscreant, who was standing behind the informant, took away mobile phone from the informant and all miscreants fled away towards Nirmali.

It has been submitted that the case has been registered against unknown. In course of investigation, one Manoj Sharma was apprehended who confessed his complicity and disclosed the name of petitioner. Except the said disclosure, there is nothing against the petitioner. It has been further submitted that nothing



has been recovered from possession of the petitioner. He is in custody since 05.03.2018 having clean antecedent and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Birpur (Supaul) in connection with Nirmali P.S. Case No.74 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

Harish/-

(Sanjay Kumar, J)

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