

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38711 of 2018

Arising Out of PS.Case No. -63 Year- 2016 Thana -HATHAURI District- MUZAFFARPUR

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1. Santosh Kumar S/o Nand Kishore Ray, R/o Vill.- Panchhaur, P.S.- Riga ,
Distt.- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Hathauri P.S.Case no.63 of 2016 , registered for offences
punishable under Section 394 of the Indian Penal Code.

Petitioner is not named in the FIR and as per FIR there is
allegation that two persons snatched the motorcycle from the
informant as well as mobile and cash.

Submission of the learned counsel for the petitioner is that
he is not named in the FIR and later on on the basis of confession
of the co-accused he has been accused in this case and he is no
criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-cum-Sub Judge 10th, Muzaffarpur in connection with Hathauri P.S.Case no.63 of 2016 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With 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) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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