

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1197 of 2018

Arising Out of PS.Case No. -104 Year- 2017 Thana -SAHAJITPUR District- SARAN

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Pintu Ray S/o Chandrama Yadav, R/o Village- Pyarepur, P.S.- Baniyapur,
District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sahajitpur P.S.
Case No. 104 of 2017 for offences punishable under Section 392
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he had taken out Rs. 2,20,000/- from the State Bank of
India and was returning on his motorcycle, three miscreants
boarded on a motorcycle intercepted and snatched away the
money and important documents.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has



been falsely implicated in the aforesaid case only on the basis of suspicion and his confessional statement before the police which has no evidentiary value in the eye of law. He submits that just because sky colored motorcycle was recovered from the possession of the petitioner who is owner of the said motorcycle the petitioner has been falsely been implicated. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 11.09.2017.

However, learned APP for the State opposes the prayer for bail.

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 Chief Judicial Magistrate, Saran at Chapra in connection with Sahajitpur P.S. Case No. 104 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner, who will file an affidavit stating his relationship with the petitioner.



(2) 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.

(3) 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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