

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22247 of 2018

Arising Out of PS.Case No. -253 Year- 2017 Thana -MANSI District- KHAGARIA

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Shiva Kumar S/o Deva Yadav, R/o Village- Kodha, P.S.- Kodha, District-
Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
08.11.2017 in connection with Mansi P.S. Case No. 253 of 2017
for offences punishable under Sections 379, 411, 34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while he withdrawn Rs. 34,000/- from the S.B.I. Mansi
Branch and had parked his motorcycle, one person snatched the
bag containing the money and tried to flee on motorcycle on
which another co-accused was sitting, were apprehended along



with other co-accused Bablu Banzara and money recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and was not involved in the said offence. He submits that in fact there was some verbal altercation between the informant and the petitioner and, as such, he has been falsely implicated. He submits that he has been punished enough as he is languishing in judicial custody since more than five months.

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 Judicial Magistrate, First Class, Khagaria in connection with Mansi P.S. Case No. 253 of 2017, 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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