

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28462 of 2018

Arising out of PS.Case No. -115 Year- 2017 Thana -SARAIYA District- MUZAFFARPUR

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Sunil Sharma @ Sunil Kumar Sharma S/o Tuntun Sharma, R/o Vill.- Deoria
Kothi, Bania Tola, P.S.- Deoria, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-05-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Saraiya
(Jaitpur O.P.) P.S. Case No. 115 of 2017 for offences punishable
under Section 392 of the Indian Penal Code.

The allegation against the petitioner is committing
robbery at the point of pistol and snatching a sum of Rs. 1200/-
from the informant and a sum of Rs. 5,000/- from the associate of
the informant as also taking away the motorcycle.

The learned counsel for the petitioner submits that the
petitioner is innocent and the seizure list would depict that the
provisions of Section 100 Cr.P.C. has not been complied with. It
is further submitted that in any view of the matter the petitioner is
in custody since 08.05.2017 and the only other case which is



pending against the petitioner arise out of the same transaction.

Having regard to the facts and circumstances of the case, the above named petitioner is directed to be released on bail on furnishing bail bon of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st (West) Muzaffarpur in connection with Saraiya P.S. Case No. 115 of 2017.

It is directed that the petitioner would mark his presence before the Officer In-Charge of the concerned Police Station at 10 A.M. on each and every Monday of the month and on account of his failure on three consecutive occasions to mark his attendance, the present privilege of bail shall stand cancelled automatically.

It is further directed that the petitioner would appear before the learned trial court on each and every date fixed in the case and if there are two consecutive defaults in his attendance, the privilege of bail shall stand withdrawn and petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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