

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38517 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Chandrika Sah S/o Late Belas Sah, R/o Vill.- Rani Pakadi, P.S.- Bettiah,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Manish Kumar 2, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner seeks bail in connection with Bettiah
Town P.S. Case No. 54 of 2018 registered for the offence
punishable under Sections 356 and 379 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while he took out Rs. Two lakhs from SBI account and was
on the way, miscreants on two motorcycles took away the bag
containing money, cheque book, Aadhar card and other valuable
documents.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information



Report and it is only on the basis of his own extra judicial confession in Bettiah Town P.S. Case No. 68 of 2018 that he has been remanded in the present case and is languishing in judicial custody since 22.03.2018. It is further submitted that nothing has been recovered from his possession and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah Town P.S. Case No. 54 of 2018, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The 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) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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