

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70788 of 2018

Arising Out of PS. Case No.-138 Year-2018 Thana- KUDHNI District- Muzaffarpur

Saim Ansari, Son of Kamdraudin Ansari, Resident of Village- Khiru Chhapara, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad
		Mr. Amrendra Kumar
For the Opposite Party/s :		Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Kudhani P.S. Case No.138 of 2018 registered for the offence punishable under Section 392 of the Indian Penal Code.

Informant, who is the truck driver, has alleged that while he was going from Patna to Muzaffarpur, unknown criminals overpowered him on strength of arm and after administering intoxicant he became unconscious and threw him in the bush and fled away with the truck. The truck had GPRS. He regained conscious after some time. The police was informed and truck was located near the line hotel.

It has been submitted on behalf of the petitioner that name of the petitioner has surfaced on the basis of confession



made by one Vishwajeet and except said confession, no any other incriminating material has been found against the petitioner. One similarly placed co-accused, Ravi Kumar has already been granted bail by a co-ordinate Bench of this Court as contained in Annexure 3.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 3rd (West), Muzaffarpur in connection with Kudhni P.S. Case No.138 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence



or the witnesses of the case, in that case,
prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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