

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15592 of 2018

Arising Out of PS. Case No.-437 Year-2014 Thana- MADHEPURA District- Madhepura

Lal Mohan Das, Son of Bindeshwari Das, Resident of Laxminiya, O.P.-
Bharrahi, Police Station+District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Kumar

For the Opposite Party/s : Mr. Sri Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2018 Heard the learned counsels for the petitioner
and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Madhepura (Bharrahi) P.S. Case No. 437 of 2014 dated 07.08.2014 instituted for the offence under Section 394 of the Indian Penal Code.

The occurrence is said to have taken place on 06.08.2014 when the informant was waylaid by three criminals and was divested of his personal belongings and Rs. 10,400/- in cash which he was carrying. During the course of investigation, one Shiv Narayan Das was arrested, though after a long lapse of time, and on his naming the petitioner in his confession, he has been made accused in this case.

The impugned order reveals that charge sheet was submitted against Shiv Narayan Das and thereafter another charge sheet was submitted against one Kundan



Kumar Yadav. The investigation against the petitioner is still pending.

The petitioner does not have any criminal antecedent.

Mr. Durgesh Kumar, learned advocate has submitted that since the main accused Shiv Narayan Das is the brother-in-law of the petitioner, he was forced by the police in naming him and other relatives.

Considering the aforesaid facts as also the investigation for such a long time had been kept pending against the petitioner he above named is directed to be released in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi) P.S. Case No. 437 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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