

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26923 of 2018

Arising Out of PS. Case No.-547 Year-2017 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Prem Kumar @ Prem Sah, S/o Shivji @ Vishwanath Sah @ Shivji Prasad
Gupta, R/o Vill.- Paigambarpur Koluha, Adarsh Gram Road No.- 3, P.S.-
Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 17-05-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kanti
P.S Case No. 547 of 2017 registered for the offences punishable
under Sections 392 & 394 of the Indian Penal Code.

Allegedly, four persons on two motorcycles
intercepted the informant on the point of pistol and after inflicting
injury to him, snatched his wallet, mobile, and further other person
named in the F.I.R. also informed that they have also been robbed.
During investigation, co-accused Vijay Kumar @ Nanhaki
confessed his guilt has stated the name of the petitioner also.

Submission is of false implication and that the
petitioner is not named in the F.I.R nor any incriminating article
has been recovered from his possession, he has not been put



on T.I.P. and except coercive confession of the co-accused there is no other material against him. The petitioner has already been granted bail in connection with Kanti P.S. Case No. 551 of 2017 and, as such, he deserves sympathetic consideration as he is in custody since 29.01.2018

Learned A.P.P. submits that co-accused Vijay Kumar @ Nanhaki confessing his guilt has stated the name of petitioner also regarding his involvement also in the crime.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., West Muzaffarpur, in connection with Kanti P.S. Case No. 547 of 2017, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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