

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38706 of 2018

Arising Out of PS.Case No. -11 Year- 2018 Thana -BIBHUTIPUR District- SAMASTIPUR

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Rajesh Kumar @ Kari S/o Hari Narayan Mahto, R/o Vill.- Rampur Ghat,
P.S.- Cheriya Bariyarpur, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv.

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
19.02.2018 in connection with Bibhutipur P.S. Case No. 11 of
2018, G.R. No. 39 of 2018 for offences punishable under Section
392 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was at his Kirana shop and counting money, out of
three miscreants, one entered his shop and snatched Rs. 80,000/-
from the counter and Rs. 50,000/- from the drawer. While fleeing
away, the accused also took one mobile of M.I. company.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and just



because Rs. 800/- and one Samsung mobile was seized from his possession, he has been made accused. He submits that no T.I. Parade has yet been conducted and charge-sheet has already been submitted.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 11 of 2018, G.R. No. 39 of 2018 , subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) If the petitioner indulges in an



offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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