

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11535 of 2018

Arising Out of PS.Case No. -329 Year- 2017 Thana -BIKRAM District- PATNA

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Chunmun Kumar @ Amit Kumar, S/o late Ashok Singh, R/o-Vill-
Chauthiyan, P.S.-Bikram, Distt.-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
21.11.2017 in connection with Bikram P.S. Case No. 329 of 2017
for offences punishable under Section 392 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while he was returning in his motorcycle, some miscreants
forcefully snatched away his motorcycle, he recognized the
petitioner to be one of them.



It has been submitted by the learned counsel for the petitioner that he is innocent, motorcycle has not been recovered from his possession and that he bears no criminal history. He submits that it is only on the basis of his extra judicial confessional statement before the police which has no evidentiary value in the eye of law, he has been made accused in the present case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He further contends that although date of occurrence is 08.11.2017 F.I.R. has been instituted on 12.11.2017 but the police station is 1 ½ km away from the place of occurrence and no plausible explanation has been given for such delay.

However, learned APP for the State opposes the prayer for bail.

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-IV, Danapur in connection with Bikram P.S. Case No. 329 of 2017, subject to the condition that 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.

(Nilu Agrawal, J)

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