

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15115 of 2018

Arising Out of PS.Case No. -35 Year- 2017 Thana -MANIHARI District- MUZAFFARPUR

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1. Shatrudhan Chaudhary @ Ludki, son of Birendra Chaudhary, resident of Village- Chahuattachock, P.S. Hajipur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjana Parihar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 28.04.2017 in connection with Maniyari P.S. Case No. 35/2017 for offences punishable under Sections 395/412 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he was going in his I-10 car, four miscreants looted his car, money and mobile and pushed him out of the car.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and his name surfaced in the confessional statement of co-



accused Bipin Kumar. He submits that nothing has been recovered from his possession and similarly situated co-accused has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 8758 of 2018 vide order dated 15.02.2018. He submits that charge-sheet has already been submitted, petitioner is languishing in judicial custody for about 11 months and has been sufficiently punished.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and one more case of similar nature is pending against him.

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 Judicial Magistrate, Ist Class, Muzaffarpur, in connection with Maniyari P.S. Case No. 35/2017, 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)

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