

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4415 of 2019

Arising Out of PS. Case No.-431 Year-2018 Thana- SHASTRINAGAR District- Patna

Raj Kumar Mohan Prasad @ Mohan Kumar Resident of Chand Chaura, P.S. Kachhari Chapra, District - Saran A/P Mahendru Sampatchak, Tenant in the Lodge of Shashi Kumar, near house of Dr. Arun Tiwary, P.S.- Sultanganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra
For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 31-01-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Shastri Nagar P.S. Case No. 431 of 2018 registered for the offence punishable under Section 392/411 of the Indian Penal Code.

Allegation against petitioner is of snatching the golden chain from the neck of the informant while she was entering in her house and he was caught by local people while he was fleeing away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on suspicion. Petitioner was neither arrested at the spot nor any



looted articles have been recovered from his possession. It has been further submitted that not a single witness has supported the case of the informant nor search and seizure was made in the presence of any witness. Petitioner is in custody since 10.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M./Sub Judge IV, Patna, in connection with Shastri Nagar P.S. Case No. 431 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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