

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10548 of 2019

Arising Out of PS. Case No.-65 Year-2018 Thana- PHULWARISHARIF District- Patna

MD. NANHEY @ NAYYAR, aged about 26 years, Male, Son of- Md. Naushad, Resident of Mohalla- Kachahari Mohalla, PS- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 394 of the Indian Penal Code.

Informant has alleged that while he was on his motorcycle with Rs. 31,400/-, three miscreants on motorcycle intercepted his way and on the strength of arms, snatched away one mobile and Rs. 31,400/- and fled away on motorcycle.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case only on the basis of suspicion. Nothing was recovered from his possession and looted mobile which has been recovered belongs to the petitioner. Although, informant has claimed that he can identify the miscreants still he has not been put on T.I.P.



Petitioner is in custody since 1.2.2018.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Phulwari Sharif P.S. Case No. 65 of 2018, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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