

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9076 of 2019

Arising Out of PS. Case No.-1719 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

AMIT PATEL @ AMIT CHAUDHARY, Male, 20 years, Son of Munna Chaudhary, Resident of Mohall-Kuraich, P.S. Sasaram (Town) district Rohtas
... Petitioner

Versus

The State of Bihar
... Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Pandey, Adv.
For the Opposite Party : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-02-2019 Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 14.08.2018 in connection with Sasaram (M) P.S. Case No. 1719 of 2017 for the offence alleged under Section 392 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that the petitioner along with three others had rented his Bolero pick-up van and while co-accused, Chotu Tiwari sat on the van, the other three boarded two motorcycles and followed them. After some time the co-accused, Chotu Tiwari took away the vehicle, but, was caught by the local villagers, who also disclosed the name of the petitioner and other co-accused.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in



the aforesaid case. His name surfaced on the confessional statement of the co-accused, Chotu Tiwari, and no participation of the petitioner in the alleged crime was indicated. He submits that charge sheet has already been submitted, there being no allegation of tampering with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and is an accused in seven cases, some under similar offence and some under more serious offence,

However, considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Sasaram (M) P.S. Case No. 1719 of 2017 to the satisfaction of the learned Additional Chief Judicial Magistrate, Rohtas at Sasaram, subject to the following conditions :

(i) 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.

(ii) Petitioner will appear before the learned Court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(iii) 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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