

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77852 of 2018

Arising Out of PS. Case No.-120 Year-2018 Thana- PRANPUR District- Katihar

Daya Nand Singh @ Chhotu S/o Nand Lal Singh, R/o Nima, Bahadurpur,
P.S.- Manihari Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sri Rajballabh Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Pranpur P.S. Case No. 120 of 2018 registered
for the offences punishable under Sections 356 and 379 of the
Indian Penal Code.

Informant has alleged that while he was returning
from Bazar, in the way four miscreants borne on two
motorcycles intercepted him and snatched bag containing Rs.
1,16,911/- as well as mobile.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Petitioner is not related with the



said incident and he has been made accused on the basis of confessional statement of co-accused Hasimuddin. It has been further stated that so called recovery of motorcycle is incorrect as the motorcycle belongs to the petitioner of which he has ownership and Rs. 11000/- recovered belong to petitioner also. There is nothing to suggest that the same was looted cash amount. Petitioner has no criminal antecedent and neither he has been put on T.I.P. nor the seized cash has been identified by the informant. Similarly placed co-accused Md. Rahmat Alam has been granted bail by co-ordinate bench of this court passed in Cr. Misc. No. 74638 of 2018 vide order dated 13.12.2018.

Considering the aforesaid fact 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 C.J.M., Katihar, in connection with Pranpur P.S. Case No. 120 of 2018, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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)

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