

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21857 of 2019

Arising Out of PS. Case No.-246 Year-2018 Thana- RIGA District- Sitamarhi

BITTU KUMAR Son of Ram Chandra Shah Resident of Village - Khairawa,
P.S.- Punaura O.P., Sitamarhi, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.01.2019 in connection with Riga P.S. Case No. 246 of 2018
for offences punishable under Section 379 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while he was going in a tempo after loading gas cylinder
two motorcycle borne criminals came and snatched Rs. 35,440/-
from the informant.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and has been falsely implicated in the aforesaid case. He
submits that no incriminating article has been recovered from



the possession of the petitioner and the co-accused, on whose confessional statement the petitioner has been made accused in the present case, has since been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 20562 of 2019 vide order dated 03.04.2019.

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

Considering the nature of allegations 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 Chief Judicial Magistrate, Sitamarhi, in connection with Riga P.S. Case No. 246 of 2018, subject to the following conditions :

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)

Rajesh/-

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