

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80452 of 2018

Arising Out of PS. Case No.-151 Year-2018 Thana- DIGHWARA District- Saran

Shailendra Rai, Son of Baliram Rai Resident of Village- Yadurampur, P.S.-
Dariyapur, District-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Maharaj

For the Opposite Party/s : Mr.Sri Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 21-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Dighwara P.S. Case No. 151 of 2018** registered for the offence punishable under Section 392 of the Indian Penal Code.

Informant has stated in his written complaint that while he was going to Siwan after loading transport goods on his pickup van, he was overpowered by 3-4 miscreants and they looted the vehicle and took away the goods loaded on it along with vehicle and they also snatched his license, mobile and Aadhaar card. It has been alleged that looted mobile has been recovered from the possession of petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He has



no concern with the said loot and the mobile was purchased from market and it was not known that same is a looted mobile. It has been further submitted that one co-accused was apprehended but he in his confessional statement has not named petitioner as co-accused. He is in custody since 01.10.2018.

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 **Judicial Magistrate 1st Class, Saran at Chapra**, in connection with **Dighwara P.S. Case No. 151 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)

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