

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36812 of 2019

Arising Out of PS. Case No.-146 Year-2017 Thana- JANDAHA District- Vaishali

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OM PRAKASH SAH, aged about 35 years (Male), Son of Rajgrih Sah @
Rajgir Sah, Resident of Village - Gara Cahowk, P.S.- Deodha, Distt.-
Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Gagan Deo Yadav, Advocate.

For the Opposite Party : Mr.Rajendra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
24.11.2018 in a case for the offence registered under Section
395 of the IPC.

The prosecution story, in brief, is that on 22.08.2017
the informant went to Gaya on his Scorpio vehicle and on the
same day in the returning hour as soon as he reached Village-
Chak Fatah under Jandaha P.S. suddenly some miscreants after
over taking their Alto Car stopped Alto Car in front of
informant's vehicle and five miscreants got down from Alto Car



and after breaking the glass they opened the gate of Scorpio vehicle and snatched Mobile and cash Rs. 2305/- from Arjun Rai and also snatched mobile and cash Rs. 4500/- from Pramod Kumar and they fled away from his Alto Car and Scorpio vehicle.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come on the basis of confessional statement of co-accused. The petitioner has not been put on T.I.P. There is no recovery of any incriminating article from possession of the petitioner. It has further been submitted that the petitioner may be released on bail after completion of nine months in custody.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of nine months in custody on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned A.C.J.M.-XI, Vaishali at
Hajipur in connection with Jandaha P.S. Case No. 146 of 2017.

(Sudhir Singh, J)

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