

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63106 of 2018

Arising Out of PS. Case No.-96 Year-2017 Thana- PAROO District- Muzaffarpur

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Bheem Sahani Son of Ramjanam Sahni, resident of Village Basanta Jhanabad,
P.S.- Lalganj, District Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Adv.

For the Opposite Party/s : Sri Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 20-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
28.06.2017 in a case registered for the offence punishable
under Section 392 of the Indian Penal Code.

The accusation is of robbing Rs.20,000/- from the
informant, Rs.25,580/- from one Dharmendra Kumar and
Rs.36,050/- from one Nitesh Kumar along with POS machine
and mobile phones by three motorcycle borne miscreants,
leading to registration of FIR against unknown. During
investigation, the petitioner's name sprang up and the
petitioner confessed his guilt regarding his involvement in the
present incident as well as in other incidents also.
Subsequently, Rs.5,000/- was recovered from the possession of



the petitioner.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the petitioner has been roped in the present case and the investigation has already been concluded. Moreover, the petitioner has not been put on Test Identification Parade. It is further submitted that though the petitioner is accused in nine other cases, apart from the present case, but in all those cases, he has been granted bail. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner has serious criminal antecedent and recovery of Rs.5000/- has been made from his possession.

Considering the fact that the material on record, particularly, the impugned order does not suggest that the petitioner has been put on Test Identification Parade or the alleged recovered amount has been put on Test Identification Parade, and the investigation being concluded, let the above named petitioner be released 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 ACJM-III, West Champaran, in connection with Paroo P.S. Case No. 96 of



2017.

Since the petitioner has serious criminal antecedent, learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

Ashwini/-

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