

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3210 of 2019

Arising Out of PS. Case No.-80 Year-2018 Thana- SIMRA District- West Champaran

Manoj Prasad, son of Shivchandra Paswan, resident of village Uttarwari
Pokhara, Ward No 6 Police Station Kalibagh O.P. District West Champaran at
Bettiah ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Raghunandan Kumar Singh, Adv.

For the Opposite Party : Mr. Asha Devi, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-01-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
29.10.2018 in connection with Semara P.S. Case No. 80 of 2018
for the offence alleged under Section 392 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while he is a Sangam Manager of Bharat Financial
Insolution Limited, Bagaha, and after collecting money from
various customers to the tune of Rs.1,42,290/- he was returning
along with another Sangam Manager, Santosh Kumar, in his
motorcycle, one motorcycle borne criminal intercepted and,
thereafter, three co-accused persons came in another motorcycle
and snatched away the cash and mobiles from both of them.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history, not named in the first information report and his name surfaced during investigation only on suspicion. He, further, submits that charge sheet has already been submitted and one of the co-accused, who was found in possession of the stolen mobile of the informant and his associate has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 77672 of 2018 vide order, dated 02.01.2019. He, further, submits that no cash or stolen mobile has been recovered from his possession.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Semara P.S. Case No. 80 of 2018 to the satisfaction of the learned Judicial Magistrate, 1st Class, Bagaha, West Champaran, subject to the following conditions :

(i) 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.



(ii) 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)

Shamshad/-

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