

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62716 of 2019

Arising Out of PS. Case No.-66 Year-2009 Thana- NOKHA District- Rohtas

=====

Mantu Choudhary, aged about 35 years, Gender, Male, S/o Late Lal Mohar Chaudhary, @ Late Mohar Chaudhary, R/o village- Karan, P.S.- Baghaila, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhinay Raj, Advocate

For the Opposite Party/s : Ms.Asha Devi

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-12-2019 Heard Shri Devendra Kumar Sinha, learned senior
counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions Trial No.282 of 2019 arising out of Nokha P.S. Case No. 66 of 2009 registered for the offence punishable under Section 392 of the Indian Penal Code.

The case of prosecution as per written report of the infomant was going from his Phua's house at Bhadkudia to Gosaipur on 19.04.2009 on a T.V.S. star motorcycle which was without number. At about 7 P.M. when he was 200 yards away from Jai Nagar Lakh two motorcycle borne criminals came from his opposite side and stopped their motorcycle. The further allegation is that two another persons on a motorcycle came there



from behind and pointed a katta at him and threatened to kill him. They snatched his motorcycle and also looted Rs.700/- from his pocket and also took away some important documents and certificate from dicky of the motorcycle. It is further stated that after the occurrence all miscreants fled away.

Learned counsel for the petitioner submits that the petitioner has been lying in jail custody since 03.05.2019. He further submits that the petitioner is quite innocent and has committed no offence. The petitioner is not named in the F.I.R. nor any looted article has been recovered from possession of the petitioner. Learned counsel for the petitioner further submits that the main allegation against the petitioner is that the petitioner was driving motorcycle at the time of occurrence.

In the facts and circumstances of the case, let the petitioner above named 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 Additional Sessions Judge-III, Rohtas at Sasaram in connection with Sessions Trial No.282 of 2019 arising out of Nokha P.S. Case No. 66 of 2009, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

Nasimul/-

U		T	
---	--	---	--

