

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72823 of 2019**

Arising Out of PS. Case No.-10 Year-2019 Thana- DEWARIA District- Muzaffarpur

Sanni Patel Son of Suresh Patel, Resident of Village- Rajepur, P.S.-
Sahebganj, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 11-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Deoria P.S. Case No. 10 of 2019 registered for the offences punishable under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that petitioner is not named in the FIR, not put on TIP, nor any incriminating article has been recovered from his possession. He has been taken on remand in this case from Kathaiya P.S. Case No. 96 of 2019 under Section 392 IPC on mere suspicion and has remained in custody since 06.08.2019.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that in the FIR the allegation is that the motorcycle of the informant was stolen away by unknown persons, no recovery of any incriminating article has been made from the possession of this petitioner, this petitioner has not been identified by the informant so far and he has been taken on remand in this case from Kathaiya P.S. Case No. 96 of 2019 under Section 392 IPC on mere suspicion and has remained in custody since 06.08.2019 in this case, investigation against him is complete and there is no independent material to connect him with this case as also on behalf of the State there is no submission that release of the petitioner is likely to result in tampering with the evidence or influencing the witnesses, let the petitioner above named be released on bail in connection with Deoria P.S. Case No. 10 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, West, Muzaffarpur, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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