

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78031 of 2018

Arising Out of PS. Case No.-161 Year-2018 Thana- HILSA District- Nalanda

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Guddu Saw, son of Biswanath Saw, R/o. Sukulpur, P.S. Fatuha , District-
Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan Sinha, Adv.
For the Opposite Party/s : Mr.Sri Asharaf Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 29-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Sessions Trial No. 444 of 2018 arising out of
Hilsa P.S. Case No. 161 of 2018 registered for the offences
punishable under Sections 395 and 412 of the Indian Penal
Code.

Informant has alleged that while he was looking for
Auto (tempo) one tempo stopped upon which four passengers
were seated and he also got into the tempo and while they were
going towards Hilsa, one of the accused took away Rs. 900/-
kept in his pocket and when he raised alarm he was thrown out
of his tempo and while fleeing away they were caught by the
people and handed over to the police.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is the driver of tempo and ply his vehicle on payment of fare and has no connection with the snatching of money from the informant. He is in custody since 06.04.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Hilsa, in connection with Sessions Trial No. 444 of 2018 arising out of Hilsa P.S. Case No. 161 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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