

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21670 of 2022

Arising Out of PS. Case No.-257 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

PRINCE @ SARFARAJ @ RAJA Son of Md Ayub R/o Village - Hathsarganj,
P.S.- Hajipur Town, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-06-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Hajipur Sadar P.S. Case No. 257 of 2021 registered for the
offences punishable under Section 392 of the Indian Penal
Code.

As per prosecution case, it is alleged that while the
informant along with her husband were going to Muzaffarpur
from his house by motorcycle, two miscreants riding on
motorcycle chased them and snatched her gold chain of 7 gram
from her neck and during the course of snatching when the
informant held the hand of miscreant, the miscreant pushed her



from the bike whereupon she fell down on the road and thereafter the miscreants fled away.

Learned counsel for the petitioner submits that petitioner is in custody since 11.02.2022 and bears criminal antecedent of eleven cases in which several cases are of similar nature. He further submits that petitioner is quite innocent and has not committed any offence as alleged against him and he is simply victim of false implication due to enmity and manipulation of police. Petitioner is not named in the FIR and has been falsely implicated on mere suspicion and on the basis of confessional statement taken at para 16 of the case diary as the confessional statement has no evidentiary value in the eye of law. Nothing incriminating article has been recovered from the possession of the petitioner and he has not put on TIP. There is no iota of evidence or any material on record which shows the complicity of the petitioner in the alleged occurrence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge**, on furnishing bail



bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sadar P.S. Case No. 257 of 2021, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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