

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27606 of 2015**

Arising Out of PS.Case No. -173 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

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Md. Sohrab son of Md. Farhad, R/o village- Kobiyan, P.S.- Kurhani,  
District- Muzaffarpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mazharul Hassan

For the Opposite Party/s : Mr. Anand Kishore Chaudhary(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

3      24-09-2015                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

Petitioner seeks bail in connection with Runnisaidpur  
P.S. Case No. 173 of 2015 registered for the offences punishable  
under Sections 406/34 of the Indian Penal Code.

Allegedly, the petitioner being the driver of the  
informant's Bollero vehicle No. BR06PC-4350 SIE made the  
vehicle traceless and informed the owner that he was intoxicated  
by two passengers and thereafter, the vehicle was taken away but  
his reply was not satisfactory and hence, the case was instituted.

Submission is of false implication and that the  
petitioner was himself the victim, his mobile was also snatched  
away by the culprits, the petitioner is in custody since 06.04.2015  
and chargesheet has already been submitted but the vehicle has not

been recovered as yet and, as such, keeping the petitioner confined is not going to serve any fruitful purpose. Paragraph 23 of the case diary suggests that the petitioner was trying his best to inform the informant after taking mobile from the witnesses.

Learned APP opposed the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and the vehicle has not yet been recovered and there is no chance of tampering with prosecution evidence, the petitioner above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 173 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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