

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45741 of 2014

Arising Out of PS.Case No. -112 Year- 2012 Thana -MAKHDUMPUR District- JEHANABAD

1. Banti @ Bangra @ Sumindra Kumar Son of Doman Yadav Resident of Village - Guharipar, P.S. and District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Ram Anurag Singh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-02-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Makhdumpur (Tehta) P.S. Case No. 112 of 2012 registered for the offence punishable under Section 414 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused are involved in committing theft of four wheeler vehicle of different company with the assistance of each other from U. P. and Bihar as members of Inter State Gang under the guidance of co-accused Gopal Sinha who was found in possession of stolen Hyundai Car having fake registration number with other incriminating articles and said Gopal Sinha in his confessional statement has stated the name of the petitioner and others.

Submission is that in this case similarly situated co-accused Umesh Tiwari and Gopal Sinha have been allowed bail by another Bench of this Court in Cr. Misc. Nos. 32230 and 36924 of 2012 vide order dated 14.9.2012 and 16.1.2013 respectively and the petitioner is in custody since 1.7.2014 to which the learned APP is not in a position to distinguish the case of the petitioner from that of co-accused.

In the facts and circumstances stated above, 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, Jehanabad in connection with Makhdumpur (Tehta) P.S. Case No. 112 of 2012, 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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