

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49905 of 2015

Arising Out of PS.Case No. -8 Year- 2015 Thana –NEEMA CHANDPURA District- BEGUSARAI

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1. Manoj Chaurasiya Son of Janak Chaurasiya r/o Village West Banduar
Bera Toli, P.S. Neema Chandpura, District Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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

3 11-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Neema Chandpura P.S. Case No. 08 of 2015 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 342, 363, 364, 302, 201 and 120(B) of the Indian Penal Code and Section 3/4 of S.C./S.T. Act.

This case has been lodged on the basis of complaint petition, wherein it is alleged that the petitioner and other co-accused took away Lalan Paswan, aged 15-16 years, the son of the complainant/informant on 25.06.2014 and when the son of the informant did not return then the informant enquired the matter, resulting she was abused and assaulted by taking caste name.



Submission is of false implication and that complaint has been filed on 26.08.2015 after long delay without any explanation. There is no evidence against the petitioner and others under Section 363 and 364 I.P.C., the son of the informant is mentally weak and he has been missing somewhere and due to village politics, the informant implicated the petitioner and others, resulting the petitioner is suffering in custody since 20.05.2015. Chargesheet has already been submitted under Section 363, 364 and 504/34 of the I.P.C. and Section 3(ii)(V) of S.C./S.T. Act and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 S.D.J.M., Begusarai arising out of Neema Chandpura P.S. Case No. 08 of 2015 subject to the conditions that one of the bailors must be 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.

sushma/-

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(Jitendra Mohan Sharma, J)