

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50654 of 2015

Arising Out of PS.Case No. -759 Year- 2015 Thana -SITAMARHI District- SITAMARHI

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Manoj Kumar @ Bholu Sah Son of Late Jag Narayan Sah Resident of
Mirchai Patti Chowk, P.S. - Sitamarhi, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh, Adv.

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sitamarhi
P.S. Case No. 759 of 2015 for the offences punishable under
Sections 272, 273, 147, 148, 149, 341, 332, 333, 353, 435, 427,
337 & 504 of the Indian Penal Code and Sec. 47(a) of the Excise
Act.

Allegedly, 29 pieces each containing 650 ml. beer and
48 pieces of 200 ml. country-made liquor were recovered from the
house and shop of the petitioner and he was arrested. At his
instigation, other co-accused started pelting stones and further
burnt the motorcycle.

Submission is of false implication and that other co-accused have been allowed bail by the learned Court below itself and the petitioner is suffering in custody since 14.09.2015. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, arising out of Sitamarhi P.S. Case No. 759 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.

Rajiv/-

(Jitendra Mohan Sharma, J)

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