

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52332 of 2015

Arising Out of PS.Case No. -76 Year- 2015 Thana -NAUGACHIA District- BHAGALPUR

Sekhar Kumar Singh @ Hitlar @ Sekhar Singh @ Mintu Singh son of late Bijay Prasad Singh resident of Village- Sauli, P.S. -Tariyani, District Sheohar, at Present Sai Baba Transport N.H. 31, Tetari, P.S. Naugachia, District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Mukesh Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 07-12-2015 Heard Sri Vijay Shankar Shrivastava, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The petitioner, who is in custody since 12-06-2015 in Naugachia P.S. Case No. 76 of 2015 instituted for the offence under Section 406 of the Indian Penal Code, subsequently, section 392 & 307 of the I.P.C. have been added and finally, chargesheet has been submitted under Section 394 of the I.P.C., has prayed for grant of bail.

By way of referring to photocopy of order dated 25-05-2015 in T.R. No. 638 of 2014, learned counsel for the petitioner submits that he was in custody from 22-05-2015 to 25-05-2015 in Sheohar jail and he was granted bail only on 25-05-2015, whereas, in the F.I.R., it was alleged that truck in question was left on a petrol pump on 25-05-2015 early in the

morning at 6:00 AM and subsequently, it was noted that the truck was stolen. However, subsequently keeping in view the fact that the petitioner was employed in one of the transport company, the petitioner has falsely been implicated in the present case.

Learned Addl. Public Prosecutor has opposed the prayer for bail.

In view of the facts & circumstances, particularly; the fact disclosed in the F.I.R., let the petitioner namely Sekhar Kumar Singh @ Hitlar @ Sekhar Singh @ Mintu Singh be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Naugachia/concerned court in connection with Naugachia P.S. Case No. 76 of 2015 (corresponding to G.R. Case No. 517/2015) on condition that one of the bailor must be blood relation of the petitioner and secondly, on each and every date during the trial, the petitioner shall remain physically present. If continuously on two dates, he fails to appear without prior permission of the trial court, his bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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