

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26697 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -TARAIYA District- SARAN

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1. Raju Rai @ Krishna Rai Son of Late Shailendra Rai resident of village -
Bipiprahi, P.S. Amnour, District - Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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

3 14-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

Petitioner seeks bail in connection with Taraiya P.S.
Case No. 85 of 2015 registered for the offences punishable under
Sections 413, 414, 34 of the Indian Penal Code.

Allegedly acting on a tip off, the shop of co-accused
Rajesh Pandit was raided and he was found with one stolen
motorcycle and further he confessed his guilt and stated the name
of co-accused Abdu Niwas who used to bring the stolen
motorcycle at his shop, and thereafter, Abdu Niwas was arrested
but on search nothing was recovered from his house and he
confessed his guilt stating that he used to take the stolen
motorcycle from the petitioner and used to handover the same to

Rajesh Pandit and accordingly, the house of the petitioner was raided and he confessed his guilt and one stolen motorcycle was recovered.

Submission is of false implication that there is no report of theft regarding the recovered motorcycle from the house of the petitioner. The petitioner has got no criminal antecedent and he is in custody since 21.04.2015. Co-accused Rajesh Pandit, whose shop was raided and stolen motorcycle is said to have been recovered, has been allowed bail vide order dated 05.08.2015 passed in Criminal Misc. No. 29303 of 2015 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. submits that the petitioner has not shown any paper regarding the recovered motorcycle.

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 Judicial Magistrate, 1st Class, Saran at Chapra arising out of Taraiya P.S. Case No. 85 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.

(Jitendra Mohan Sharma, J)

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