

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26454 of 2015

Arising Out of PS.Case No. -33 Year- 2015 Thana -KISHUNPUR District- SUPAUL

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1. Sunil Kumar son of Late Manoj Mehta, resident of village- Dahu Patti,
P.S.- Bhaptiyahi, District- Supaul..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harshvardhan Shivsundaram

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-10-2015

Heard learned counsel for the petitioner and learned

counsel representing the State.

Petitioner seeks bail in connection with Kishanpur P.S.

Case No. 33 of 2015 registered for the offences punishable under
Sections 364, 511, 342, 323, 120B and 506 of the Indian Penal
Code.

Allegedly, five miscreants riding on three motorcycles
intercepted the bus and co-accused Shiv Narayan Mehta, Sanjay
Mehta instigated to catch the informant and accordingly, they got
down the informant from the bus and were taking away on Bajaj
Pulsar Motorcycle bearing No. BR50A-7230 but in Shahpur the
informant raised alarm and then the persons surrounded the
motorcycle and thereafter, other miscreants fled away and the
petitioner was caught and the informant was released and the
petitioner stated the names of the persons who have fled away.

Submission is of false implication and that due to land dispute he has been implicated. The informant after raising alarm got implicated the petitioner falsely and the petitioner is suffering in custody since 20.02.2015 having no criminal antecedent. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP fairly submits that it is true that land dispute is going on between the parties.

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, Supaul in connection with Kishanpur P.S. Case No. 33 of 2015, 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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