

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46612 of 2015

Arising Out of PS.Case No. -203 Year- 2015 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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1. Niraj Shukla @ Niraj Kumar Shukla Son of Mohan Shukla, R/o Village -
Sewarha Shukla Tola, P.S. - Harsidhi District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Anil Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 14-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Govindganj P.S. Case No. 203/15 registered for the offence
punishable under Section 414/34 of the Indian Penal Code.

Allegedly looted tank lorry which was being driven by
co-accused Om Prakash Pandey, was caught by the informant and
his associate and the owner of the tank lorry identified the said
tank lorry. Co-accused Om Prakash Pandey stated that the
petitioner and Pappu Sonar gave him Rs. 400/- to bring the tank
lorry at Matiyaria petrol-pump.

Submission is of false implication and that the



petitioner has got no concern with Om Prakash Pandey. He has been falsely implicated and the petitioner has got no concern with Pappu Sonar. The petitioner has been remanded in this case and is suffering in custody since 12.07.2015. During investigation, nothing has come to show that the petitioner was involved in looting the said tank lorry. The petitioner has got no criminal antecedent. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner engaged Om Prakash Pandey as driver.

In the facts and circumstances stated above, considering that the petitioner was not caught with looted tank lorry and his name has come in the statement of co-accused, made before the police and besides that, nothing has come during investigation 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 C.J.M., Motihari, East Champaran arising out of Govindganj P.S. Case No. 203 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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