

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19316 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Nagendra Ram son of Ram Naresh Ram Resident of Village - Gahiri Kothi, Police Station - Nautan, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 03-07-2015

Heard learned counsel for the petitioner and Mr.

Umesh Lal Verma learned A.P.P. for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 457, 380, 468, and 411 of the Indian Penal Code in connection with Paharpur P.S. Case No. 41 of 2015.

The motorcycle of the informant was stolen one month ago and no Sanha/F.I.R. was lodged. A month thereafter, while the petitioner was going along with his son, it is said that he saw the petitioner near the motorcycle opening the tank, he was apprehended. The petitioner, therefore, is carrying allegation vide Paharpur P.S. Case No. 41 of 2015.

Contention of the petitioner is that he is in custody since 18.02.2015 and carries no criminal antecedent. It is surprising that even after the theft of the

motorcycle, no First Information Report was lodged. Petitioner in such circumstance may be a person who was incidentally close to the motorcycle, which is said to have been stolen.

Considering the fact that the petitioner is in custody since 18.02.2015 and does not carry any criminal antecedent, let the above named petitioner, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Paharpur P.S. Case No. 41 of 2015 with the following conditions:-

(1) One of the bailors shall be either his father or his brother who has affirmed the affidavit.

(2) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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