

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6905 of 2016

Arising Out of Buxar Town P.S.Case No. -121 Year- 2007 Thana -BUXAR District- BUXAR

Subhash Giri, Son of Mahadev Giri, Resident of village - Barnaw
Dakhinwari Mathiya, P.S. Ayar, District - Bhojpur . .. Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Prabhat Kumar Singh, Advocate.

For the Opposite Party : Mr. Dr.Ajit Kumar(APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 02-03-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Buxar Town P.S. Case No. 121 of 2007 registered for the offences punishable under Sections 406, 420/34 of the Indian Penal Code and later on Sections 365, 325, 379, 120(B)/34 of the Indian Penal Code were added.

Allegedly, food grains valued at Rs. 2, 70,175/- were loaded on a truck bearing registration No. WB-37A-4881 and was sent for but did not reach its destination. It is alleged that the truck was of Yadav Transport and its driver has misappropriated the food grains.

Submission is of false implication and that the petitioner is not named in the First Information Report and his name has come in the confessional statement of the driver of the

truck who disclosed that he was kidnapped after being administered some intoxicant, the driver of the truck has already been enlarged on bail vide Cr. Misc. No. 16888 of 2010 and further co-accused Binod Giri has also been allowed bail vide Cr. Misc. No.42421 of 2014 by another coordinate Benches of this Court and the petitioner is suffering in custody since 03.07.2015.

The learned A.P.P. submits that the petitioner has got criminal antecedent.

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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Buxar Town P.S. Case No.121 of 2007, 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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