

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4863 of 2016

Arising Out of PS.Case No. -430 Year- 2014 Thana -MOTIPUR District- MUZAFFARPUR

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Ajay Kumar son of Ramjinish Rai @ Ramjee Mishir, resident of Village
Madhopur Susta, P.S. Maniyari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Md. Sufiyan(App)

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

ORAL ORDER

3 29-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Motipur
P.S. Case No. 430 of 2014 registered for the offences punishable
under Sections 395 and 397 of the Indian Penal Code.

The petitioner is not named in the First Information
Report, during investigation the petitioner was apprehended and
after search injection, medicines, syringe, cartridges, cash of Rs.
600/- and mobile set were recovered from the pocket of the paint
of the petitioner.

Submission is of false implication and that the name of
the petitioner transpired in the confessional statement of co-
accused and further the confessional statement of the petitioner
has also been recorded, another similarly situated co-accused

Abhishek Bharti has been allowed bail by another co-ordinate Bench of this Court and the petitioner is suffering in custody since 18.06.2015. The petitioner has been allowed bail in Motipur P.S. Case No. 431 of 2014 and, as such, the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that looted pickup van was recovered from the side of the road.

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 Sub-Divisional Judicial Magistrate, West Muzaffarpur in connection with Motipur P.S. Case No. 430 of 2014 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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