

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.5858 of 2016**

Arising Out of PS.Case No. -242 Year- 2015 Thana -KOILWAR District- BHOJPUR

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1. Rahul Kumar Son of Sri Mukti Choudhary, resident of Village-  
Nasriganj, Police Station- Danapur, in the district of Patna..... Petitioner

Versus

1. The State of Bihar .... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr. Advocate  
Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. B. N. Pandey, (App)

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

**ORAL ORDER**

3      01-04-2016      Heard learned Sr. Counsel for the petitioner and learned  
APP for the Sate.

The petitioner seeks bail in connection with Koilwar  
P.S. Case No. 242 of 2015 registered for the offence punishable  
under Sections 414/34 of the Indian Penal Code.

Allegedly, Rohit Kumar @ Sanni Kumar was driving the  
stolen motorcycle and the petitioner was sitting behind him and  
both were caught by the Police. They disclosed that the said  
motorcycle was given by other co-accused to sale the same.

Submission is of false implication and that co-accused  
Rohit Kumar @ Sanni Kumar who was driving the motorcycle has  
already been allowed bail vide Cr. Misc. No. 8873 of 2016 by  
another co-ordinate Bench of this Court and the petitioner is  
suffering in custody since 04.11.2015 having no criminal

antecedent to which learned APP is not in a position to distinguish the case of the petitioner from that of co-accused.

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, Bhojpur at Ara in connection with Koilwar P.S. Case No. 242 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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