

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6323 of 2016

Arising Out of PS.Case No. -366 Year- 2015 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

=====

1. Dayashankar Kumar @ Veerchand Rai @ Veerchandra Rai Son of
Daroga Rai resident of Village- Badhiya, Turki, P.S. Patepur, District-
Vaishali
..... .. Petitioner

Versus

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

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s : Mr. Lalan Kumar(App)

=====

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

ORAL ORDER

3 06-04-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Rahui P.S.
Case No. 366 of 2015 registered for the offences punishable under
Sections 379 and 406/34 of the Indian Penal Code.

Allegedly, the petitioner being driver of the truck of
the informant after loading auto tyre proceeded for Ranchi and he
remained in contact till Patna and thereafter, he switched off the
mobile and thereafter, the truck of the informant was found in
abandoned condition and accordingly, it has been alleged that the
petitioner and other co-accused being in collusion and conspiracy
sold the loaded tyre for wrongful gain. During investigation the
petitioner was caught and on the basis of his confessional
statement the tyres were recovered from godown.

Submission is of false implication and that the petitioner is a poor driver, he has been made victim of circumstances, the truck and tyres have already been recovered and the petitioner is suffering in custody since 01.12.2015.

Learned APP opposes the prayer of bail by submitting that on the basis of confessional statement of the petitioner the tyres were recovered.

In the facts and circumstances stated above, the petitioner above named shall be released on bail **after completion of six months in custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Swaran Prabhat, J. M. Ist Class, Biharsharif, Nalanda in connection with Rahui P.S. Case No. 366 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)

avin/-

U		T	
---	--	---	--