

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7257 of 2016

Arising Out of PS.Case No. -46 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

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Akhilesh Mishra @ Mantu S/o Ram Deo Mishra Resident of village -
Sonbarsa, P.S. - Shahpur, District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudal Singh

Mr. Pramod Kumar

For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 18-04-2016 Heard Sri Rudal Singh, learned counsel , who was

assisted by Sri Pramod Kumar, learned counsel for the petitioner

and learned A.P.P.

The petitioner, who is in custody since 23.11.2015 has
prayed for grant of bail in connection with Baruraj P.S. Case No.
46 of 2015 registered for the offence punishable under Section
379 of the Indian Penal Code.

It was submitted by learned counsel for the petitioner
that petitioner was shown arrested in a case instituted in Uttar
Pradesh where a stolen Bolero vide Registration No. JH-09-7251
was shown recovered from the possession of the petitioner. It was
alleged that petitioner has committed theft of the said Bolero. He
submits that in the said case besides recovery of the stolen Bolero



some arms and ammunitions were shown to be recovered from the possession of the petitioner. Thereafter, an F.I.R. was lodged vide Case Crime No. 270 of 2015. Subsequently, the petitioner was granted bail in the case instituted in Uttar Pradesh by a bench of Hon'ble the Allahabad High Court vide Annexure - '3' to the present petition. He submits that in the present case it was shown that a jeep bearing registration no. BR-059-5012 was stolen whereas petitioner has got no connection with the present case. However, on allegation the petitioner has been remanded in the present case.

Learned A.P.P. has opposed the prayer of bail. He has argued that it appears that petitioner is a member of inter- state gang of vehicle thieves.

Be that as it may, keeping in view the fact that petitioner on recovery of stolen vehicle was already granted bail by Allahabad High Court, there is no reason to further detain the present petitioner in this case. Accordingly, let the petitioner Akhilesh Mishra @ Mantu be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur/concerned court in connection with Baruraj P.S. Case No. 46 of 2015 with conditions that one of the

bailors must be blood relation of the petitioner and secondly during the trial before the trial court on each and every date the petitioner shall remain present physically. If continuously on two dates he fails to appear without prior permission of the trial court, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

Praful/-

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