

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9066 of 2016

Arising Out of PS.Case No. -569 Year- 2015 Thana -JAHANABAD District- JEHANABAD

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1. CHANDRA KISHOR CHAIBE @ CHANDRA KISHORE CHAUBEY
Son of Ram Nath Chaubey resident of Village Mosimpur, Police Station
Khusrupur, District Patna. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Khatim Reza
For the Opposite Party/s : Mr. Indu Bala Panday (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 09-05-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Jehanabad
P.S. Case No. 569 of 2015 registered for the offences punishable
under Sections 406, 420 and 379 of the Indian Penal Code.

Allegedly, the petitioner being the driver of Bolero
pick-up van of the informant committed theft of 12 photocopier
machines which were loaded on the Bolero pick-up van at Patna to
go to Gaya and gave wrong information to the informant.

Submission is of false implication and that the
petitioner is the driver for last five years and from the last two
years he is the driver of the informant, no complaint of any kind
was ever received against him, nothing has been recovered from
his conscious possession, his name has transpired in the
confessional statement of Dharmendra Kumar and besides that,
there is no other material against the petitioner. That Dharmendra

Kumar has already been allowed bail by the learned court below itself and, as such, the petitioner having no criminal antecedent, deserve sympathetic consideration. Chargeheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that the name of the petitioner has come in the confessional statement of co-accused Dharmendra Kumar and further he is also named in the FIR.

In the facts and circumstances stated above, the petitioner, above named, is also 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 CJM, Jehanabad in connection with Jehanabad P.S. Case No. 569 of 2015 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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