

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10599 of 2016

Arising Out of PS.Case No. -568 Year- 2015 Thana -DANAPUR District- PATNA

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1. Guddu Kumar Son of Rambali Sah, Resident of Village - Hasani Mogalchak, P.S. - Mohabinagar, District - Samastipur. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. U.S.P Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-04-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Danapur P.S. Case No. 568 of 2015 registered for the offences punishable under Sections 406/34 of the Indian Penal Code in which Sections 407, 420 and 120B of the Indian Penal Code were added later on.

Allegedly, as per agreement with the owner of Mata Rani Packers and Movers the household articles of the informant were loaded on truck bearing registration no. JH01AF-6181 but the said truck in question including household articles could not reach to Ranchi and then the case was lodged. During investigation it transpires that the petitioner was the driver of the said truck at the relevant time.

Submission is of false implication and that the petitioner is in custody since 10.12.2015 but he has not been put on test identification parade, the owner of the said truck has lodged Kako P.S. Case No. 153 of 2015 under Section 395 of the Indian Penal Code that loaded articles

have been looted away by the criminals and as such the petitioner deserves sympathetic consideration to which learned APP seriously opposes by submitting that the Police after investigation submitted final form in Kako P.S. Case No. 153 of 2015 and the petitioner and the owner of the truck have made the household article traceless.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completion of six months 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 the learned A.C.J.M., Danapur in connection with Danapur P.S. Case No. 568 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.

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(Jitendra Mohan Sharma, J)

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