

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11021 of 2016

Arising Out of PS.Case No. -74 Year- 2015 Thana -OBRA District- AURANGABAD

1. Anuj Kumar son of Amrendra Singh @ Ashok Singh, resident of village-
Andhi Bigha, P.s.- Deokund, District- Aurangabad.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

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

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

ORAL ORDER

3 27-04-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Obra P.S.
Case No. 74 of 2015 registered for the offence punishable under
Section 379 of the Indian Penal Code.

Allegedly, the motorcycle of the informant was stolen
away and during investigation the petitioner was apprehended
with stolen motorcycle, one another motorcycle and illegal arms
and further he confessed his guilt.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner, the
petitioner and two other co-accused were arrested with two
motorcycles and as such the alleged recovery is not from
conscious possession of the petitioner and as such the petitioner
who is suffering in custody since 28.11.2015 deserves sympathetic

consideration to which learned APP opposes.

In the facts and circumstances stated above, the petitioner shall be released on bail **after completion of six months custody from the date of his remand in this case** 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 S.D.J.M., Daudnagar in connection with Obra P.S. Case No. 74 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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