

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13101 of 2016

Arising Out of PS.Case No. -95 Year- 2015 Thana -SAKRI District- MADHUBANI

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1. RAJESH RAY @ RAJESH RAY SAHU Son of Jagdish Ray Resident of
village - Mahthor, Police Station - Manigachhi and District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

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

3 19-05-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 379 and 411 of the I.P.C

Allegedly, the Splender Pro motorcycle of the
informant was stolen away from out side of the premises of
Shivam Shahi Line Hotel. During investigation the stolen
motorcycle as well as another motorcycle were recovered from the
house of the petitioner.

Submission is of false implication and that the house
is the joint family property, it is not the exclusive property of the
petitioner, the petitioner is suffering in custody since 04.08.2015,
the confessional statement of the petitioner was obtained forcibly,

other co-accused Anup Kumar Mandal who has confessed and Monu Kumar have already been allowed bail, there is no chance of tampering with the prosecution evidence and the petitioner has been sufficiently penalized.

The learned A.P.P. submits that the petitioner is the active member of the gang involved in lifting the motorcycle.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Madhubani in Sakri P.S. Case No. 95 of 2015/ G.R. No. 2275 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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