

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48671 of 2015

Arising Out of PS.Case No. -8 Year- 2015 Thana -JOGBANI (R.T) District- KATIHAR

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Md. Arman S/o Md. Kudus Ansari Resident of Shivmandir Chowk Ward
No.14, Forbes ganj, P.S. Forbesganj, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Tapeswar Sharma (App)

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

3 28-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Jogbani
Rail P.S. Case No. 08 of 2015 registered for the offence
punishable under Section 411 of the Indian Penal Code.

Allegedly the motorcycle of the informant was stolen
away by un-known thief and during investigation the said
motorcycle was recovered from possession of the petitioner.

Submission is of false implication and that the police
forcibly obtained the signature of the petitioner on the seizure list,
the said motorcycle was recovered in abandoned condition but it
has wrongly been shown recovered from possession of the
petitioner. He is suffering is custody since 04.07.2015, having no

criminal antecedent and, as such, he deserves sympathetic consideration.

Learned A.P.P. submits that the motorcycle was recovered from possession of the petitioner.

In the facts and circumstances stated above, considering the detention of the petitioner and further that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and, as such, the petitioner, above named, is 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 Judicial Magistrate Railway, Katihar arising out of Jogbani Rail P.S. Case No. 08 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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