

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48363 of 2015

Arising Out of PS.Case No. -455 Year- 2015 Thana -SHASTRINAGAR District- PATNA

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1. Naresh Gope Son of Jethan Yadav, Resident of Village - Jawafar Bazar,
P.S. - Nalanda, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekher Prasad

For the Opposite Party/s : Mr. Surendra Pd.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 19-02-2016

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 offence
punishable under section 406 of the I.P.C

Allegedly, the petitioner being the driver of Bolero
ZLX BR- 01- P.B. 8824 took away the Bolero vehicle and when
the informant tried to contact him his mobile was found switched
off and then suspected that the petitioner might have made the
vehicle traceless.

Submission is of false implication and that on the date
of occurrence some unknown persons came and at the point of
pistol they abducted the petitioner with vehicle and in the mid
night the abductor threw him on the road near some unknown
place and fled away with the vehicle and thereafter with the help

of patrolling police he was boarded into the Bus and then he went at the residence of the owner and narrated the entire incident but the petitioner has been dragged falsely, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, without any legal and cogent material only on suspicion he is suffering in custody since 17.08.2015 having no criminal antecedent.

The learned A.P.P. fairly submits that during investigation no other material has come.

In the facts and circumstances as stated above, the petitioner 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 Smt. Indrani Kishku, J.M. 1st Class, Patna in Shastri Nagar P.S. Case No. 455 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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