

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53426 of 2015

Arising Out of PS.Case No. -486 Year- 2015 Thana -PHULWARI District- PATNA

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1. Rahul Kumar @ Ramakant Prasad s/o Suresh Prasad, r/o vill.- Thandhwa
Nandpur, Khalwa Tola, P.S.- Boria, Distt.- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Manoj Kumar No.1(App)

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

4 24-02-2016 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 414/34 of the I.P.C

Allegedly, acting on a tip off the police personnel
proceeded towards the tempo stand, Janipur and then the
miscreants started fleeing away with the motorcycle but the
petitioner was caught with the motorcycle having registration no.
BRO1AU 8539 but he did not produce any paper.

Submission is of false implication and that there is no
report regarding theft of the said motorcycle, the same belongs to
one Sonu Kumar, friend of the petitioner, who has purchased the
same from Nirmal Kumar Singh, the real owner of the motorcycle.

From the report received also it reveals that the owner of the vehicle was Nirmal Kumar Singh, the said Nirmal Kumar Singh or Sonu Kumar has not filed any case regarding theft of the said motorcycle and as such the petitioner who is suffering in custody since 13.07.2015 deserves sympathetic consideration as he has got no criminal antecedent.

The learned A.P.P. does not oppose prayer for bail considering detention of the petitioner.

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. Seema Eram, J.M. 1st Class, Patna in Phulwari Sharif P.S. Case No. 486 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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