

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31726 of 2016**

Arising Out of PS.Case No. -1 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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Pramod Das, Son of Late Hari Das, Resident of Mohalla- Said Nagar, P.S.-  
Laheriasarai, District- Darbhanga

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Manish Kumar No. 13, Advocate

For the Opposite Party : Mr. Manoj Kumar (APP)

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

3      17-09-2016                      Heard learned counsel for the petitioner and the  
  
learned counsel representing the State.

The petitioner seeks bail in connection with  
  
Laheriasarai P.S. Case No. 01 of 2016 registered for the offences  
  
punishable under Sections 401 and 414 of the Indian Penal Code.

The petitioner and co-accused Manjeet Kumar were  
  
apprehended by the police with motorcycle and they confessed  
  
that the said motorcycle was stolen one and the same was taken  
  
from one Chandan Kumar and Mona for the purpose of sale. They  
  
also accepted that they use to lift the motorcycle and sell the  
  
same.

Submission is of false implication and that nothing  
  
has been recovered from the conscious possession of the

petitioner, no offence under Sections 401 and 414 of the Indian Penal Code is made out, the petitioner is in custody since 03.01.2016, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned APP opposes the prayer of bail by submitting that the petitioner has got criminal antecedent.

In reply, the learned counsel for the petitioner submits that out of four case, in one case he has already been acquitted and other three cases, he is on bail. In similarly situated co-accused Manjeet Panjiyar has been allowed on bail by the learned court below itself.

In the facts and circumstances stated above, considering the detention of the petitioner and further that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner shall 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 learned Chief Judicial Magistrate, Darbhanga, in connection with Laheriasarai P.S. Case No.01 of 2016, subject to the conditions that one of the bailors must be near relative of the petitioner 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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