

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43435 of 2016

Arising Out of PS.Case No. -133 Year- 2015 Thana -BHELDI District- SARAN

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1. Ashok Prasad, son of Late Bikarma Prasad, resident of Village- Harpur Jan, Police Station- Mashrakh, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Sinha

For the Opposite Party/s : Mr. Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 05-10-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor appearing for the State.

The petitioner seeks bail in connection with Bheldi P.S. Case No. 133 of 2015, registered for the offences punishable under Sections 413 and 414 of the Indian Penal Code.

The petitioner is in jail custody for more than one year and earlier his prayer for bail was rejected by this Court taking into account the recovery of stolen motorcycles from his house but submission on behalf of the petitioner is that co-accused, Mithilesh Kumar and Ajay Kumar, have already been granted the privilege of bail by different Benches of this Court and furthermore, it is the submission on behalf of the petitioner that mere recovery of stolen motorcycles from the house of the

petitioner does not mean that petitioner is a habitual offender and therefore, application of Section 413 of the Indian Penal Code appears to be doubtful.

Considering the aforesaid facts and circumstances as well as submissions of the parties, the petitioner above named is directed to be released on bail on execution of bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional Sessions Judge- VI, Saran at Chhapra, in connection with Sessions Trial No. 26 of 2016, arising out of Bheldi P.S. Case No. 133 of 2015.

(Hemant Kumar Srivastava, J.)

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