

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8444 of 2016

Arising Out of PS.Case No. -172 Year- 2013 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Lalan Prasad Kushwaha S/o Sita Ram Prasad @ Sita Ram Bhagat
Resident of village - Sonoul, P.S. Rajepur, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. R.P.S Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Motihari Mufasil P.S. Case No. 172 of 2013, S. Tr. No. 276/2014 registered for the offences punishable under Sections 394 and 307 of the Indian Penal Code.

Allegedly, two un-known miscreants after assaulting the informant fled away with his TATA Magic Van containing camera and mobile. During investigation the name of the petitioner transpired in the confessional statement of co-accused and he has been remanded in this case on 04.08.2015.

Submission is of false implication and that the petitioner has not been put on TIP, the police had noticed the

informant to come for TIP but the informant did not come for TIP. TATA Magic Van was recovered in abandoned condition and only on the basis that the petitioner has got criminal antecedent, he has been remanded in this case though there is no legal and tangible material against him.

The learned A.P.P. fairly submits that the informant did not turn up for TIP.

In the facts and circumstances stated above, 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 V Additional Sessions Judge, East Champaran, Motihari in connection with Motihari Mufasil P.S. Case No. 172 of 2013, S. Tr. No. 276/2014 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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