

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8451 of 2016

Arising Out of PS.Case No. -154 Year- 2015 Thana -UCHAKAGAON District- GOPALGANJ

1. Narendra Tiwary Son of Late Raghunath Tiwary Resident of Village -
Chhitwalia, Police Station Ekma, District - Chapra.... Petitioner
Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Amrendra Prasad(App)

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

ORAL ORDER

4 20-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with
Uchakagaon P.S. Case No. 154 of 2015 registered for the offences
punishable under Sections 420 and 379 of the Indian Penal Code.

Allegedly, co-accused Pramod Kumar Pathak, T. Singh
and one unknown committed theft of a Xylo vehicle after
administering intoxicated Prasad to the driver of the vehicle.
During investigation the informant identified the petitioner at
Gandhi Sethu and caught him and produced before Kadamkuan
Police after four months of the occurrence and the petitioner has
described himself as T. Singh.

Submission is of false implication and that the petitioner
has been made victim of misidentification, he has got no criminal
antecedent, nothing has been recovered from possession of the

petitioner and co-accused Pramod Kumar Pathak has already been allowed bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 54978 of 2015 and as such the petitioner also deserves sympathetic consideration to which learned APP fairly submits that the informant caught the petitioner and identified him.

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 Additional Chief Judicial Magistrate-IX, Gopalganj in connection with Uchkagaon P.S. Case No. 154 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)

avin/-

U		T	
---	--	---	--