

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14293 of 2016

Arising Out of PS.Case No. -80 Year- 2015 Thana -HATHUA District- GOPALGANJ

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1. Prince Kumar Singh @ Prince Kr. Singh son of Dewendra Kumar Singh
@ Dewendra Singh Resident of Village- Kajipur, Police station -
Uchakagaon, District Gopalganj..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. C.Jawahar(App)

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

ORAL ORDER

3 13-05-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Hathua P.S.
Case No. 80 of 2015 registered for the offence punishable under
Section 379 of the Indian Penal Code.

Allegedly, one Hero Honda Passion Plus Pro Motorcycle
bearing registration no. BR28-D- 2136 was stolen away by
unknown miscreants. During investigation the name of the
petitioner transpires in the confessional statement of co-accused
Saddam Hussain and Bittu Ansari, thereafter, the petitioner was
also apprehended and one another motorcycle was recovered
which was stolen from Machagar School.

Submission is of false implication and that in this case
stolen motorcycle was recovered from possession of co-accused

Lal Babu Prasad and the petitioner is suffering in custody since 29.01.2016 as such he deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner is the member of gang and from his possession also one another stolen motorcycle was recovered.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completing six months custody from the date of his remand** 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 Chief Judicial Magistrate, Gopalganj in connection with Hathua P.S. Case No. 80 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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