

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16066 of 2016

Arising Out of PS.Case No. -251 Year- 2015 Thana -ALOULI District- KHAGARIA

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Deepak Roy Son of Harigopal Roy Resident of Village- Mahnar, P.S.-
Mahnar, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Mishra

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 21-06-2016 Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with Alauli
P.S. Case No. 251 of 2015 registered for the offences punishable
under Sections 412 and 414/34 of the Indian Penal Code.

The petitioner is named in the first information
report and allegedly, he being the driver unloaded the stolen iron
rod in the premises of godown of Annu Trading.

Submission is of false implication and that the
petitioner is poor driver. He was not knowing that the rods were
stolen. Without any fault, the petitioner is suffering in custody
since 19.10.2015 and has been sufficiently penalized. Other co-
accused Pankaj Yadav, Umesh Kumar @ Annu, Santosh Kumar

and others have been allowed bail.

The learned APP opposes the prayer of bail by submitting that on the basis of disclosure made by the petitioner, other co-accused were apprehended and further the truck was also recovered.

In the facts and circumstances stated above, considering the period of detention and further there is no chance of tampering with prosecution evidence, now, 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 Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 251 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.

Mishra/-

(Jitendra Mohan Sharma, J)

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