

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14618 of 2016

Arising Out of PS.Case No. -949 Year- 2015 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Md. Mahtab S/o Md. Mumtaz resident of Mohalla- Soda Godam,
Chandewara -chaul, Beneath-Bandh Chhit Bhagwatipur, PS Muzaffapur
town, District Muzaffarpur..... .. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh

For the Opposite Party/s : Mr. Umesha Nand Pandit (App)

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

ORAL ORDER

3 16-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with
Muzaffarpur Town P.S. Case No. 949 of 2015 registered for the
offence punishable under Sections 414/34 of the Indian Penal
Code.

Allegedly, co-accused Guddu Mahto was apprehended
with stolen motorcycle and he stated the name of the petitioner
and others that they are involved in stealing the motorcycle and
selling the same.

Submission is of false implication and that there is no
legal and tangible material against the petitioner, only on the
ground that the petitioner is an accused in Bela P.S. Case No. 32
of 2010 under Section 379 and 461 of the Indian Penal Code

wherein he is on bail he is suffering in custody, co-accused Md. Nizam @ Laddu has been allowed bail by the court below itself and further Md. Taj has been allowed bail by this Court vide Cr. Misc. No. 13228 of 2016 and the petitioner is suffering in custody since 11.12.2015.

Learned APP submits that chargesheet has been submitted against the petitioner also.

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 Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No. 949 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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