

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22214 of 2016

Arising Out of PS.Case No. -454 Year- 2015 Thana -GAYA KOTWALI District- GAYA

1. Santosh Chaudhary @ Dhakaniya son of Late Munshi Choudhary resident of village - Bhadeja, Police Station - Moffasil, District - Gaya. At present vill. - Khiriyawan, P.S. - Magadh Medical, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sahin Begum(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-07-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Kotwali P.S. Case No. 454 of 2015 registered for the offence punishable under Section 379 of the Indian Penal Code.

Allegedly, Hero Honda Splendor Motorcycle bearing Registration No. BR-02Q-7502 of the informant was stolen away from his door. During investigation, the said motorcycle of the informant was recovered and the petitioner was arrested.

Submission is of false implication and that from seizure list of Magadh Medical P.S. Case No. 142 f 2015 it reveals that from Khiriyawan market, the motorcycle was seized and the

petitioner has been made victim of the police atrocity and it was neither recovered from conscious possession of the petitioner nor from his house and, as such, he deserves sympathetic consideration to which the learned A.P.P. seriously opposes by submitting that the petitioner was arrested with stolen motorcycle.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of six months in 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 CJM, Gaya in connection with Kotwali P.S. Case No. 454 of 2015 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)

sushma/-

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