

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45881 of 2015

Arising Out of PS.Case No. -189 Year- 2015 Thana -MEERGANJ District- GOPALGANJ

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1. Nawab Arju @ Sameer @ Lallu S/o Kamrul Rajja Resident of Village Chakia, P.S. Mahadeva O.P. District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 23-02-2016

Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 414, 420, 419, 467, 468, 471, 255, 256, 258, 259, 260 and 120 B of the I.P.C and sections 68 and 69 of the Indian Stamp Act, 1899.

Allegedly, acting on a tip off co-accused Pramendra Choudhary was caught with the motorcycle and did not produce any paper and thereafter on the disclosure made by Pramendra Choudhary the house situated at Chhat Ghat Pragyan Nagar was raided and when the door was got opened the petitioner tried to flee away but was caught and the co-accused stated that he used to steal the motorcycle for which paper is being prepared by the petitioner. After search several incriminating papers including the non judicial stamp etc. were recovered, as per seizure list, from

that house.

Submission is of false implication and that the petitioner has got no concern with the said house, the petitioner was not the tenant of that house rather one Nawab Alam was the tenant and the petitioner had gone there to meet Nawab Alam but was caught resulting the petitioner is suffering in custody since 06.07.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Gopalganj in Mirganj P.S. Case No. 189 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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