

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48604 of 2015

Arising Out of PS.Case No. -181 Year- 2015 Thana -RAMKRISHNANAGAR District- PATNA

1. Ganesh Kumar Son of Sanju Yadav resident of Village Damodar Sarai Police Station Hilsa District Nalanda, presently residing of East Indira Nagar road No. 4, P.s Kankarbagh Dist Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Manoj Kumar 1 (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-01-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Ramkrishna Nagar P.S. Case No. 181 of 2015 registered for the offence punishable under Section 379 of the Indian Penal Code.

Allegedly, at the time of shifting to new rented house through tempo, the petitioner, being the driver of the tempo handed over the bag to his *khasali*, wherein clothes and ornaments were kept, who fled away with the said bag.

Submission is of false implication and that the petitioner has been made victim of the circumstance resulting he is suffering in custody since 09.08.2015, nothing has been recovered

from possession of the petitioner, it has been falsely stated that the petitioner handed over the said bag to his *Khalasi*. The prosecution story appears not probable and reliable. He has been implicated due to dispute of wages and, as such, he deserves sympathetic consideration.

The learned A.P.P. fairly submits that now considering the detention of the petitioner, lenient view can be taken.

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 Judicial Magistrate, 1st Class, Patna arising out of Ramkrishna Nagar P.S. Case No. 181 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)

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