

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4753 of 2016

Arising Out of PS.Case No. -142 Year- 2015 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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Santosh Chaudhary @ Dhakaniya Son of Late Munshi Choudhary,
Resident of Village - Bhadeja, Police Station - Moffasil, District - Gaya, At
present Khiriyawan, P.S. - Magadh Medical, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md.Arif (App)

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

ORAL ORDER

3 29-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Magadh
Medical P.S. Case No. 142 of 2015 registered for the offence
punishable under Section 414 of the Indian Penal Code.

Allegedly, the petitioner and co-accused Ajay Kumar
Singh were apprehended by the police after chase and at the time
of fleeing away, one Hero Honda splendor Pro motorcycle was
recovered and on demand they did not produce any paper. The
motor cycle was suspected to be stolen one.

Submission is of false implication and that during
investigation it has not come that recovered motor cycle was

stolen one and there is no claimant to claim the said motorcycle and the petitioner is suffering in custody since 01.11.2015 to which the learned APP does not dispute.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 C.J.M., Gaya in connection with Magadh Medical P.S. Case No. 142 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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