

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22816 of 2016

Arising Out of PS.Case No. -651 Year- 2015 Thana -MADHEPURA District- MADHEPURA

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1. Rahul Singh son of Sachi Nandan Singh, Resident of village- Ganesh
Asthan, P.S.- Madhepura, District- Madhepura.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

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

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

ORAL ORDER

2 26-05-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Madhepura
P.S. Case No. 651 of 2015 registered for the offence punishable
under Section 392 of the Indian Penal Code.

The names of the petitioner and others were disclosed to
the informant by Jawahar Mandal who claimed that prior to the
alleged occurrence the petitioner and others had taken wine in his
company and they had come on two different motorcycles which
are said to have been used by the criminal in committing the
alleged crime. However, the looted motorcycle was recovered
from an abandoned place.

Submission is of false implication and that besides the
aforesaid material there appears nothing against the petitioner, the
petitioner has got no criminal antecedent and the petitioner is

suffering in custody since 15.02.2016 whereas similarly situated co-accused Garkan Yadav @ Sunil Kumar has been allowed bail vide Cr. Misc. No. 15351 of 2016 by another co-ordinate Bench of this Court to which the learned APP does not dispute.

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, Madhepura in connection with Madhepura P.S. Case No. 651 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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