

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31273 of 2016

Arising Out of PS.Case No. -128 Year- 2016 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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1. Ramesh Rai, son of Biltu Rai, resident of Village- Gulmahiachak, Police
Station- Didarganj, District- Patna. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Shekhar

For the Opposite Party/s : Mr. Sri Binod Kumar

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

ORAL ORDER

3 08-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sadar P.S.
Case No. 128 of 2016 registered for the offences punishable under
Sections 406, 420 and 379 of the Indian Penal Code.

Allegedly, the petitioner being the driver of Bollero Pik-up
vehicle made the same traceless or sold the same.

Submission is of false implication only on suspicion, the
petitioner has not committed any offence, he has been made victim
of circumstances, the petitioner has rightly stated before the
informant whatever has happened, in spite of that the informant
lodged this case falsely, resulting, he is suffering in custody since
05.03.2016 without any legal and cogent material, in this case
chargesheet has already been submitted and there is no chance of

tampering with the prosecution evidence.

Learned APP opposes the prayer of bail whereas learned counsel for the informant does not oppose the prayer of bail

In the facts and circumstances stated above, considering the detention of the petitioner and further that there is no chance of tampering with prosecution evidence, 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, Muzaffarpur in connection with Sadar P.S. Case No. 128 of 2016, 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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