

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36016 of 2016

Arising Out of PS.Case No. -443 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

1. Balram Sah @ Chandan Kumar Son of Jagdish Prasad @ Jagdish Prasad
Sah Resident of Mohalla - Ishakchak, P.S. - Lodipur, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 26-09-2016

Heard Mr. Jha for the petitioner and the APP for the

State.

Petitioner is facing prosecution vide Kotwali P.S.

Case No. 443 of 2015 registered under Sections 420 and 414/34 of

the Indian Penal Code.

On 09.10.2014, the Police authority intercepted two

motorcycles and brought both of them to the Police station along

with drivers. The papers were required to be presented. The

petitioner was found driving motorcycle bearing registration mark

and No. BR-10J 5108. He was let off to produce the registration

documents. Nearly nine months thereafter, the F.I.R. has been

lodged.

Counsel for the petitioner submitted, with reference

to the documents enclosed with the bail petition including invoice



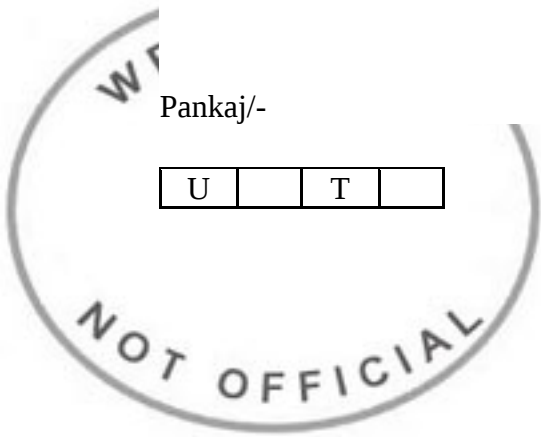
(form-21, sale certificate), money receipt as well as the copies of the tax token, that the vehicle belonged to him. When the motorcycle was not released, he approached the Court on 18.02.2015 for release of the vehicle vide Misc. Case No. 2 of 2015 (Annexure-4) wherein the learned Magistrate called for a report and only thereafter the present F.I.R. has been lodged.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in Kotwali P.S. Case No. 443 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in

accordance with law.



Pankaj/-

U		T	
---	--	---	--

(Kishore Kumar Mandal, J)