

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3133 of 2016

Arising Out of PS.Case No. -519 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

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Upendra Kumar @ Upendra Sah S/o Ram Deo Sah resident of village -
Olipur, P.S. Runnisaidpur, Distt. - Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Satyavrat Verma, APP

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

ORAL ORDER

3 15-03-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Runnisaidpur P.S. Case No. 519 of 2015 registered for the
offences punishable under Sections 272, 273/308 of the Indian
Penal Code and Section 47(a) of Excise Act.

The petitioner is not named in the F.I.R. During
investigation, it transpires that the petitioner was the driver of
TATA-407 pick up van which was caught containing 12 drums
of spirit.

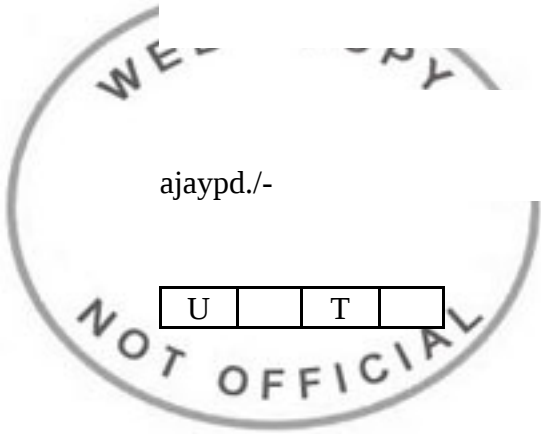


Submission is of false implication and that the petitioner has been made accused only on the basis that earlier, the petitioner was driving the said vehicle but before ten days of the occurrence he has left that job, the petitioner has voluntarily surrendered on 18.12.2015 and since then he is in custody, having no criminal antecedent and as such the petitioner deserves sympathetic consideration as similarly situated co-accused Jai Ram Kumar has been allowed bail vide Criminal Miscellaneous No. 56338 of 2015.

Learned A.P.P. fairly submits that now considering 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 Chief Judicial Magistrate, Sitamarhi in connection with Runnisaipur P.S. Case No. 519 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.)

ajaypd./-