

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14894 of 2016

Arising Out of PS.Case No. -123 Year- 2015 Thana -GOH District- AURANGABAD

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Rajesh Kumar @ Gore Lal Son of Kamlesh Singh Resident of Village -
Bhagwan Bigha, P.S. Daudnagar, District – Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... ... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate.

For the Opposite Party/s : Mr. Madhuri Lata, APP.

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

3 17-05-2016

Heard the learned counsel for the petitioner as well
as the learned A.P.P for the State.

The petitioner seeks bail in connection with Goh
P.S. Case No. 123 of 2015 registered for the offence punishable
under Section 379 of the Indian Penal Code.

Allegedly, some ornaments which were in the dicky
and the motorcycle with two mobiles of the informant were
snatched by unknown miscreants. During investigation, the
petitioner and other two co-accused were apprehended and the
looted motorcycle and arms with another motorcycle were
recovered at Haspura P.S. and further the petitioner and other co-
accused confessed their guilt.

Submission is of false implication and that from
the seizure list of that case, it reveals that from the possession of
co-accused Ravi Kumar Gupta, arms, cartridges, motorcycle and

mobile were recovered and without any legal and tangible material, the petitioner is suffering in custody since 09.12.2015.

The learned APP on the other hand submits that from the paragraph 51 of the case diary, it reveals that the petitioner along with Ravi Kumar Gupta and Anuj Kumar were apprehended and looted motorcycle was also recovered and further the petitioner has confessed his guilt.

In the facts and circumstances stated above, the petitioner shall be released on bail after completion of six months in custody 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 Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 123 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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