

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10992 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -RUPASPUR District- PATNA

1. Chandan Kumar, Son of Prem Singh, Resident of Professor Colony, P.S.-
Biharsharif, District- Nalanda..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Mr. Uday Chandra Prasad(App)

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

ORAL ORDER

3 27-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Rupaspur
P.S. Case No. 274 of 2015 registered for the offences punishable
under Sections 414, 420, 467, 468/34 of the Indian Penal Code.

Allegedly, the petitioner and two other co-accused were
apprehended with Sumo Victa Gold vehicle and they confessed
that four days ago they have stolen the vehicle from Phulwari and
were going to sale the same. They also stated that they have
changed the registration number.

Submission is of false implication and that the
petitioner has been made victim of circumstances, there is no
independent witness of alleged search and seizure and without any
legal and tangible material the petitioner is suffering in custody
since 10.12.2015, chargesheet has already been submitted and

there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail by submitting that there is theft report regarding said vehicle vide Phulwari P.S. Case No. 879 of 2015 vide para 32 of the case diary.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completion of six months in custody from the date of his remand in this case** 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 Additional Chief Judicial Magistrate, Danapur, Patna in connection with Rupaspur P.S. Case No. 274 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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