

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14077 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

=====

Dinesh Chaudhary son of Binod Chaudhary, resident of village- Asoi, P.S.-
Bhagwanpur, District- Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Pramod Rajpati, Advocate.

For the Opposite Party : Mr. Ram Sumiran Rai, APP.

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

ORAL ORDER

3 12-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with

Bhagwanpur P.S. Case No. 12 of 2016 registered for the offences

punishable under Sections 420, 414, 120(B) of the Indian Penal

Code.

Allegedly, from the godown of the petitioner, 700

cartons biscuits (rusk) were recovered and the petitioner stated

the name of Munilal Sahni that the biscuits are of Munilal Sahni

and Munilal Sahni stated the name of Vidhan Singh who fled

away and on the basis of disclosure made by Munilal Sahni and

the petitioner, the truck which was recovered, its number plate

was changed.

Submission is of false implication, the petitioner has been made victim of the circumstances, there is no godown under the possession of the petitioner. Simply as he is the owner, he has been falsely implicated in the case. The petitioner has given those rooms on rent to Munilal Sahni on monthly rental of Rs. 1500/-. Without any fault, the petitioner is suffering in custody since 27.01.2016.

The learned APP opposes the prayer of bail by submitting that the petitioner is the owner of that godown from where the alleged recovery has been made.

In the facts and circumstances stated above, considering the detention of the petitioner and further charge sheet has already been submitted and there is no chance of tampering with prosecution evidence and, as such, 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, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 12 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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