

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14351 of 2016

Arising Out of PS.Case No. -190 Year- 2015 Thana -ARARIA District- ARRARIA
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1. Rahbar @ Md. Rahbar Son of late Najbul Resident of Village Gayari ,
PS Araria, District Araria..... Petitioner
Versus
1. The State of Bihar Opposite Party
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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma
For the Opposite Party/s : Mr. A.L.Pandit(App)
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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-05-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Araria P.S.
Case No. 190 of 2015 registered for the offences punishable under
Sections 379, 411 of the Indian Penal Code.

Allegedly, one Hero Honda Splendor Motorcycle having
registration no. BR39C-6603 was stolen away which was kept in front
of the house of Niraj Thakur. During investigation co-accused Md.
Akbar was apprehended and he confessed his guilt and on the basis of
disclosure made by Md. Akbar the stolen motorcycle was recovered
from the house of the petitioner.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner, he is not
named in the first information report, the place from where the said
motorcycle has been recovered does not belong to the petitioner and
this is abandoned house, co-accused Md. Akbar who has confessed his

guilt has already been allowed bail vide Cr. Misc. No. 37896 of 2015 and the petitioner is suffering in custody since 31.08.2015.

Learned APP submits that the stolen motorcycle was recovered from the house of the petitioner.

In the facts and circumstances stated above, considering the detention of the petitioner and further that co-accused Md. Akbar has already been allowed bail, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and further the petitioner has no criminal antecedent, 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, Araria in connection with Araria P.S. Case No. 190 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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