

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52856 of 2016

Arising Out of PS.Case No. -82 Year- 2016 Thana -CHENARI District- SASARAM (ROHTAS)

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Dipak Bind, Son of Late Gurucharan Bind, R/o Village Madaicha, P.S.
Sadar, District Kaimur at Bhabua

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner is languishing in judicial custody
since 20.04.2016 in connection with Chenari P.S. Case
No. 82/16, G.R. No. 900/16 registered for the offence
punishable under Section 379 of the Indian Penal Code.

The prosecution case is that the informant
had parked his Hero Passion motorcycle near the
Veterinary Hospital, Chenari as he was an employee
there, but after returning he found his motorcycle missing.
First Information Report has been lodged against
unknown.

It has been submitted by the learned counsel
for the petitioner that he is innocent, has no criminal



history and not named in the First Information Report. He submits that it is only on the basis of his own confessional statement that he had purchased the dicky of the Hero Passion motorcycle from co-accused Bansu Bind that his name figured. He further submits that Bansu Bind, in whose possession the motorcycle was recovered, has since been granted the privilege of bail by the learned court below itself. It is submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Be that as it may, since charge-sheet has already been submitted and petitioner has no criminal history, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Chenari P.S. Case No. 82/16, G.R. No. 900/16, subject to the condition that one of the bailers would be a close relative of the petitioner and the other bailor would have



sufficient immovable property within the jurisdiction of
the concerned court.

(Nilu Agrawal, J.)

Rajesh/-

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