

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4409 of 2016

Arising Out of PS.Case No. -117 Year- 2015 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Ram Pravesh Kumar Son of Yogendra Mahto, Resident of Village - naya
Tola Moja, P.S. - Dewariya, District - Muzaffarpur. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Virendra Kuar

For the Opposite Party/s : Mr. Kalyan Shankar(App)

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

ORAL ORDER

3 28-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kesariya
P.S. Case No. 117 of 2015 registered for the offences punishable
under Sections 413, 414/34 of the Indian Penal Code.

One Pankaj Kumar was caught with stolen motorcycle
and on the basis of his disclosure the petitioner was caught with
another stolen motorcycle and they confessed that they have kept
the stolen motorcycle for selling the same.

Submission is of false implication and that on the
basis of confessional statement of co-accused Pankaj Kumar the
petitioner has been implicated in three cases bearing Kesariya P.S.
Case No. 115 of 2015, Kesariya P.S. Case No. 116 of 2015 and in
this case, the petitioner is suffering in custody since 20.05.2015

and as such the petitioner deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with prosecution evidence to which learned APP seriously opposes.

In the facts and circumstances stated above, considering the detention of the petitioner and further there is nothing on the record to show that the release of the petitioner will tamper the prosecution evidence, 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 Sri D. Kumar, J. M. Ist Class, East Champaran at Motihari in connection with Kesariya P.S. Case No. 117 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.

avin/-

(Jitendra Mohan Sharma, J)

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