

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3257 of 2016

Arising Out of PS.Case No. -264 Year- 2015 Thana -BUXAR District- BUXAR

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1. Santosh Kumar Gupta @ Pintu Son of Suresh Gupta @ Suresh Kumar Gupta, Resident of village- Choukia More, Belthara Road, P.S.- Ubhaon, District- Balia (U.P.).... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak

For the Opposite Party/s : Mr. Gulnar Begum(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 16-03-2016 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Buxar Town P.S. Case No. 264 of 2015 registered for the offences punishable under sections 420 and 379 of the Indian Penal Code.

Allegedly, a person impersonating himself as engineer started using the services of Bolero as per agreement with the driver and thereafter, he speed away with the vehicle when the driver has gone to wash his mouth. During investigation the petitioner was apprehended with the said vehicle and for that Rasra P.S. Case No. 770 of 2015 was registered.

Submission is of false implication and that in this case the petitioner has not been put on test identification parade and in Rasra P.S. Case No. 770 of 2015 the petitioner has already been

allowed bail vide order dated 05.10.2015 and the petitioner has got some criminal antecedent and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the recovery of stolen vehicle, the petitioner above named is directed to 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 Chief Judicial Magistrate, Buzar in connection with Buxar Town P.S. Case No. 264 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.

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(Jitendra Mohan Sharma, J)

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