

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5245 of 2016**

Arising Out of PS.Case No. -755 Year- 2015 Thana -MOTIHARI TOWN District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Hariom Mishra son of Sri Anand Mishra, Resident of Village- Sugaon,  
P.S.- Sugauli, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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

**ORAL ORDER**

3      31-03-2016                      Heard the learned counsel for the petitioner as well as  
  
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences  
punishable under sections 379 and 411 of the I.P.C

Allegedly, Splendor Plus motorcycle bearing  
registration no. BR-05-D-7978 of the informant was stolen away  
when it was parked out side of Vishal Mega Mart and during  
investigation the petitioner was arrested with the said motorcycle  
and he confessed his guilt.

Submission is of false implication and that the  
petitioner has been made victim of the circumstances, nothing was  
recovered from his conscious possession, from the seizure list it

reveals that the motorcycle was recovered from the premises of Sugauli Police Station and as such the petitioner who is suffering in custody since 18.11.2015 deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, the petitioner shall be released on bail, **after completion of six months in custody**, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 9<sup>th</sup> A.C.J.M. East Champaran at Motihari in Motihari Town P.S. Case No. 755 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)**

Abhay/-

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