

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22385 of 2016

Arising Out of PS.Case No. -215 Year- 2015 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Mainuddin Khan @ Maulvi Son of Alamdin Kha, Resident of Village-
Baikunthpur, Police Station- Ram Nagar, District- West Champaran.
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra
For the Opposite Party/s : Mr. Manoj Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 13-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Ram
Nagar P.S. Case No. 215 of 2015 registered for the offence
punishable under Section 379 of the Indian Penal Code.

Allegedly, motorcycles of the informant and of
Sarfaraj were stolen away from the garage and during
investigation, on the basis of information furnished by police spy,
the petitioner was apprehended and one of the stolen motorcycle
which was of the informant was recovered from possession of the
petitioner when he was trying to flee away after leaving the
motorcycle.

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

made victim of the circumstances resulting he is suffering in custody since 29.01.2016.

The learned A.P.P. opposes the prayer of bail by submitting that petitioner has got criminal antecedent and one of the stolen motorcycle was recovered when the petitioner was trying to flee away after leaving the said motorcycle, vide para 45 of the case diary.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of six months in custody from the date of his remand** 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 Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Ram Nagar P.S. Case No. 215 of 2015 subject to the conditions that one of the bailors must be 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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