

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1911 of 2017

Arising Out of PS.Case No. -505 Year- 2016 Thana -SUPAUL District- SUPAUL

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1. Raja Kumar Son of Ugeshwar Yadav @ Ugeshwar Prasad Yadav,
Resident of Village-Koushalipatti, Police Station-Pipra, District-Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 20-02-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Supaul P.S. Case No. 505 of 2016 registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegedly, three motorcycle borne criminals stopped the motorcycle of the informant and after touching the pistol, took the key of motorcycle of the informant and further two mobiles and cash of Rs. 4,500/- were taken away. The informant claimed to identify all the three miscreants. At the time of reporting, the informant saw co-accused Md. Shakeel @ Lalu was caught and he told the name of his associates as Munna Kumar and Tribhuwan Kumar. During investigation, Md. Shakeel stated the name of



Sonu Kumar and Sonu Kumar has stated that he has sold the motorcycle in question to the petitioner for Rs. 20,000/- and after taking Rs. 8,000/- he handed over the motorcycle to the petitioner.

Submission is of false implication and that the petitioner was not knowing that the said motorcycle is a robbed one. He purchased the same as bona fide purchaser and without any fault the petitioner is suffering in custody since 26.10.2016. Co-accused Munna Kumar has already been allowed bail vide order dated 08.02.2017 passed in Criminal Miscellaneous No. 1342 of 2017 by another co-ordinate Bench of this Court.

Learned A.P.P. submits that from possession of the petitioner motorcycle was recovered.

In the facts and circumstances stated above, considering that petitioner has purchased the said motorcycle from Sonu Kumar and, as such, 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 the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 505 of 2016 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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