

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44240 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Ajay Kumar @ Manna, Son of Radha Choudhary, Resident of village:-
Basantpur, Police Station- Sasaram, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. Ram Anurag Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
09.08.2017 in connection with Sasaram (Town) P.S. Case No. 125
of 2017 for offences punishable under Sections 379, 411, 413, 414
of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on information that Dhiraj Singh and Pawan
Kumar are with stolen motorcycle they were apprehended and
they named one Parvindar Gond, who had sold the said
motorcycle. The petitioner was also found with stolen motorcycle
which he had purchased from Parvindar Gond.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and is not involved in sale and purchase of stolen motorcycle and that he did not know that the motorcycle purchased from co-accused Parvindar Gond was stolen one. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and the said Parvindar Gond has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 17320 of 2017 on 07.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, Rohtas, in connection with Sasaram (T) P.S. Case No. 125 of 2017, subject to the following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.



- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.
- (iv) In future, if his active participation is found in similar type of cases, his bail bond shall automatically be cancelled.

(Nilu Agrawal, J)

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