

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43728 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

=====

1. Md. Seraj Mistry @ Seraj Mistry, Son of Md. Aslam, Resident of
Mohalla- Nadi More, Katrapar, P.S.- Laheri, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with Laheri
P.S.Case No.148 of 2016 registered for offences punishable under
Sections 406/34 of the Indian Penal Code.

Allegation against the petitioner, as per FIR, is that an Alto
Car of the informant was given to the Garage of the petitioner for
repairing but the said car has not been returned back.

Submission of the learned counsel for the petitioner is that
as a matter of fact the car has been seized by the police in
connection with a case under the Excise Act and it is lying in the
Govindpur Police Station and the petitioner has been falsely
implicated in this case. The petitioner has nothing to do with the
same and he is in custody for 5 ½ months.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st, Nalanda in connection with Laheri P.S.Case No.148 of 2016.

With 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 co-operate 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 bond.
- (iii) Further condition that till conclusion of the trial of this case, he will make his attendance before the concerned Police Station of the area in the first week of every month, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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