

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55690 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -ROSERA District- SAMASTIPUR

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1. Subodh Kumar @ Nepali @ Nepaliya, son of Hari Prasad Singh, resident of Village- Barauni, Flag Panchayat, P.S.- Teghra, District- Begusarai.
2. Sandeep Kumar @ Sandeep @ Chikku, son of Lalan Singh, resident of Village- Madhurapur, P.S.- Teghra, District- Begusarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 09-01-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners seek bail in connection with Rosera P.S. Case No. 61 of 2016 registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

First Information Report is against unknown for committing theft of motorcycle of the informant which is in the name of his brother Gaurav. During investigation co-accused Kunal Kumar, and the petitioners confessed their guilt and accordingly, theft motorcycle was recovered from the house of Gaurav Kumar.

Submission is of false implication and that the petitioners have not committed theft of the said motorcycle, the



Police has falsely implicated them, the said motorcycle has not been recovered from possession of the petitioners and without any fault the petitioners are suffering in custody since 01.04.2016.

Learned APP submits that on the basis of confessional statement theft motorcycle was recovered from the house of Gaurav Kumar and the petitioners have got criminal antecedent.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Rosera in connection with Rosera P.S. Case No. 61 of 2016, 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)

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