

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1302 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -DARAUNDHA District- SIWAN

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Shailesh Kumar Singh, Son of Ram Pukar Singh, resident of village -
Satjora, Police Station - Daraunda, District - Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
28.10.2016 in connection with Daraunda P.S. Case No. 149 of
2016 registered for the offence punishable under Section 414
of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that they recovered three stolen motorcycles from
the house of co-accused Sonu Manjhi and arrested three
accused persons, who disclosed that they had purchased the
motorcycles from the petitioner.

It has been submitted by the learned counsel for
the petitioner that he was not apprehended by the police, but



has been named by the apprehended accused and has been added in the list of accused by order of the Additional Chief Judicial Magistrate-XI on 19.10.2016. He submits that no overt act has been committed by the petitioner that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. He further submits that one of the apprehended co-accused has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 52473 of 2016 on 07.12.2016.

However, learned A.P.P. for the State submits that although the petitioner was not apprehended by the police, he was named by the accused persons, hence, opposes the prayer for bail.

Considering the facts and circumstances and submission of the parties, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XI, Siwan in connection with Daraunda P.S. Case No. 149 of 2016.

It is made clear that since the petitioner is accused in a number of cases, in future, if petitioner is found to have



indulged in similar nature of offence, learned Court below will
be at liberty to cancel his bail bonds without being prejudiced
with this order.

(Nilu Agrawal, J.)

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