

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4601 of 2017

Arising Out of PS.Case No. -265 Year- 2016 Thana -VIBHUTIPUR District- SAMASTIPUR

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Md. Sarfraz @ Bablu, Son of Late Gulam Rasul, Resident of Village-
Mustafapur, Police Station- Bibhutipur, District- Samastipur.. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 07-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Bibhutipur P.S.
Case No. 265 of 2016 registered for the offences punishable under
Sections 461, 379 and 411 of the Indian Penal Code.

Allegedly, from the shop of the informant LCD TV was
stolen away and during investigation LCD TV was recovered from
the house of the petitioner and co-accused Nazir in his
confessional statement has stated that after stealing the TV he sold
the same for Rs. 2000/- to the petitioner.

Submission is of false implication and that the petitioner
is suffering in custody since 25.11.2016. At best offence under
Section 411 IPC can be said to be made out against the petitioner
as he has purchased the stolen TV though the petitioner claims that
the TV is of the petitioner and he has purchased the same long



back.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completion of six months custody from the date of his remand** 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, Samastipur in connection with Bibhutipur P.S. Case No. 265 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.

avin/-

(Jitendra Mohan Sharma, J)

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