

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9324 of 2017

Arising Out of PS.Case No. -259 Year- 2016 Thana -HISUA District- NAWADA

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1. Rahul Kumar S/o Vijay Prasad R/o Village- Gotraien, P.S. Nardiganj,
District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rina Sinha

Mrs. Nil Kanak Lata

For the Opposite Party/s : Mr. Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-04-2017 Heard the parties.

The petitioner seeks regular bail in connection with Hisua
P.S.Case No.259 of 2016, registered for offences punishable under
Section 379 of the Indian Penal Code.

Allegation against the petitioner is about recovery of a
stolen Motorcycle from him.

It is submitted on behalf of the petitioner that it is specific
that the petitioner is working as a contract labourer in the
Electricity Department and he had purchased the said Motorcycle
from the co-accused without knowing the fact that it is an stolen
one. He has clean antecedent and have remained in custody for
about four months.

Heard learned A.P.P. also, who has opposed the prayer for



bail.

Having heard both sides and in view of clean antecedent of the petitioner as well as he has remained in custody for about four months, as such, 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 C.J.M., Nawada in connection with Hisua P.S.Case No.259 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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