

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25198 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -PANCHRUKHI District- SIWAN

=====

1. Surendra Kushwaha son of Nagina Prasad Resident of Village - Atarsua,
Police Station - Sarai (O.P.), District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Smt Pushpa Sinha, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in custody since
16.02.2017 in connection with Pachrukhi (Sarai) P.S. Case No.
05/17 for the offences alleged under Sections 413, 414, 34 of
the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that during patrolling they received a secret tip off
that a stolen Bolero vehicle is kept in the house of the
petitioner for sale. The police raided the house of the petitioner
and found a white colour Bolero vehicle under a tin shaded
roof but the petitioner along with another co-accused, namely,
Prem Giri @ Prem Parwat managed to flee away.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that he has no criminal antecedent of similar nature, although, there is one case pending against him under the Bihar Prohibition and Excise Act. It is submitted that nothing has been recovered from his possession and his family members on interrogation by the police has also stated that the petitioner does not live in the house where the alleged stolen Bolero vehicle was recovered. He further submits that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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 learned A.C.J.M. -VI, Siwan, in connection with Pachrukhi (Sarai) P.S. Case No. 05/17, subject to the condition that petitioner will appear before the learned Court below during trial on each and every date and failure to appear



on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

