

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2535 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -MANIHARI District- MUZAFFARPUR

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Kanhai Rai @ Kanhaiya Rai, S/o Baiju Rai, r/o Village Chakmer Banshi,
P.S. - Baligaon, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mrs. Veena Rani Prasad, APP

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

2 31-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Session
Trial No.199 of 2016, arising out from Maniyari P.S. Case No.12
of 2016, registered for the offence punishable under Section 395
of the Indian Penal Code.

Allegedly, 7 unknown miscreants looted loaded truck
of cock feed and also snatched Rs.10,000/- from the informant.

Submission is of false implication and that the
petitioner in custody since 01.02.2016, charge sheet has already
been submitted, there is no allegation of tampering of the witness,
he is not named in the FIR, his name has come only on the
confessional statement of co-accused Avinash Kumar, nothing has



been recovered from the possession of the petitioner, the other co-accused namely Avinash Kumar, Pankaj Kumar Sharma and Munna Chowdhary have been allowed bail by different Benches of this Court and as such the petitioner also deserves sympathetic consideration.

Learned A.P.P. fairly submits that other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of 2nd Additional Sessions Judge, Muzaffarpur in connection with Session Trial No.199 of 2016, arising out from Maniyari P.S. Case No.12 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.

Arvind/-

(Jitendra Mohan Sharma, J)

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