

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3992 of 2017

Arising Out of PS.Case No. -124 Year- 2016 Thana -ANDHRATHARI District- MADHUBANI

Manohar Kumar Jha, son of Sunil Kumar Jha, resident of Village - Tharhi,
P.S. - Andhratharhi, District - Madhubani. Petitioner

Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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

ORAL ORDER

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

Petitioner seeks bail in connection with Andhratharhi P.S.
Case No. 124 of 2016 registered for the offences punishable under
Sections 413 and 414 of the Indian Penal Code.

Allegedly, from grill shop of Shivcharan Thakur stolen
Hero Honda Motorcycle was recovered and he stated that the same
was purchased from the petitioner and Rajendra Yadav.

Submission is of false implication and that no offence
under Sections 414 and 414 IPC is made out, nothing has been
recovered from his possession, his name was taken by co-accused
in his confession which has got no evidentiary value in the eye of
law, besides that there is no other material against the petitioner,
the petitioner has got no criminal antecedent. He is suffering in
custody since 20.10.2016.



Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that nothing has been recovered from possession of the petitioner, his name was taken by co-accused, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Devesh Kumar, J. M. Ist Class, Jhahjharpur in connection with Andhrathari P.S. Case No. 124 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.

(Jitendra Mohan Sharma, J)

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