

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11993 of 2017

Arising Out of PS.Case No. -409 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Manohar Yadav Son of Ghanshyam Yadav, Resident of Village- Barari
Pipli Dham, P.S. Barari, District- Bhagalpur..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Lalan Kumar

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

ORAL ORDER

2 24-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kotwali
(Tilkamanjhi) P.S. Case No. 409 of 2016 registered for the
offences punishable under Sections 414, 420 of the Indian Penal
Code.

Allegedly, the petitioner was apprehended with Bajaj
Pulsar motorcycle bearing registration no. BR39Q-0475 without
any paper. On inquiry the informant came to know that by that
registration number vehicle is registered in the name of Somesh
Mahraj and Somesh Mahraj was found having his vehicle and as
such it was suspected that the petitioner after changing the
registration number was using the stolen motorcycle.

Submission is of false implication and that the petitioner



has got no criminal antecedent, he has been made victim of circumstances, nothing has been recovered from his conscious possession, neither the alleged motorcycle nor the key belong to the petitioner and he was caught at the gate of civil court on suspicion and booked the petitioner in the present case due to the reason best known to the informant, regarding that motorcycle no theft is reported and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 13.08.2016.

Learned APP submits that the petitioner was using stolen motorcycle after changing the registration number.

In the facts and circumstances stated above, considering the period of detention and further that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 the learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No. 409 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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