

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29763 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -SAHARSA District- SAHARSA

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AKHILESH KUMAR @ AKHILEKH KUMAR, S/o Dinesh Prasad Yadav,
R/o Village- Gobergarha, P.S.+District- Saharsa,.... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

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

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

ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Saharsa P.S.
Case No.103 of 2017 registered for the offences punishable under
Sections 413, 414, 420, 467 and 468 of the Indian Penal Code.

Allegedly, during evening patrolling the petitioner was
apprehended in suspicious condition with one motorcycle and it
transpires that the said motorcycle is in the name of Rajnu
Kumari and from possession of the petitioner forged owner book
was recovered.

Submission is of false implication and that the petitioner
was apprehended with the motorcycle, he was caught in
suspicion, the motorcycle was kept there. During investigation
statement of Rajnu Kumari has not been recorded to show that the
said motorcycle was of her, without any fault the petitioner is



suffering in custody since 07.02.2017, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completing six months custody in this case from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 103 2017, 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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