

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19316 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -DALSINGHSARAI District- SAMASTIPUR

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Rakesh Kumar S/o Ram Chandra Mahto, R/o vill. Madhaipur, P.S.
Dalsingsarai, Distt. - Samastipur Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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

ORAL ORDER

2 18-05-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with
Dalsingsarai P.S. Case No. 04 of 2017 registered for the offence
punishable under Section 414 of the Indian Penal Code.

Allegedly, the petitioner was apprehended after
chase with motorcycle and the petitioner stated that the same is
stolen one which has been purchased from Ashutosh Kumar @
Golu, Raj Kumar @ Horil and Pankaj Kumar Singh.

Submission is of false implication and that the
petitioner is suffering in custody since 08.01.2017, nothing has
been recovered from his conscious possession, the petitioner is a
labour, he has been made victim of circumstances, without any
knowledge he has purchased the motorcycle, the petitioner has got
no criminal antecedent and as such he deserves sympathetic



consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner was apprehended with stolen motorcycle.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completion of six months in judicial custody** 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 Additional Chief Judicial Magistrate, Dalsingsarai in connection with Dalsingsarai P.S. Case No. 04 of 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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