

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23954 of 2017

Arising Out of PS.Case No. -59 Year- 2016 Thana -MAJHAHGARH District- GOPALGANJ

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Binda Ram, S/o late Bhola Ram, resident of Village- Madhu Sareyan, P.S.-
Manjhagarh, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Akhilesh Kumar, Advocate.

For the Opposite Party : Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 21.04.2016
in connection with Manjhagarh P.S. Case No. 59/2016 for the
offences instituted under Sections 414, 420, 468, 467 and 471/34
of the IPC.

The prosecution story, in brief, is that on confidential
information on 20.04.2016 at 2.00 A.M., the informant alongwith
other police party reached near Bhojpurwa More. On noticing
police jeep, four persons started fleeing away riding on
motorcycle, but on chase by the police party, they were
apprehended and some stolen motorcycles were recovered from
them.



Earlier the bail application of the petitioner was rejected vide Cr. Misc. No. 30378/2016 on 08.09.2016 with an observation 'at this stage'. This is second attempt on behalf of the petitioner for grant of bail.

On behalf of learned counsel for the petitioner, it has been submitted that the petitioner is in custody since 21.04.2016 and charge sheet has already been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case at the instance of the co-accused Sharif Alam. There is no compliance of Section 100 Cr. P.C. while making seizure of the stolen motorcycle.

On behalf of learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj in connection with Manjagarh P.S. Case No. 59/2016.

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(Sudhir Singh, J)

