

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33877 of 2017

Arising Out of PS.Case No. -155 Year- 2016 Thana -BARAULI District- GOPALGANJ

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Jitendra Manjhi, Son of Late Manjhi, R/o Village- Sareya, P.S.- Baniyapur,
District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

For the Opposite Party/s : Mr. Zainul Abedin (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-08-2017 The petitioner wants to press his bail petition as earlier his Cr. Misc. was dismissed as withdrawn by order dated 22.06.2017 as the same was filed against the impugned order passed by the learned 1st Assistant Sessions Judge, Gopalganj and now after rejection of the prayer of bail by the Court of 5th Additional Sessions Judge, this bail petition has been filed.

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Barauli P.S Case No. 155 of 2016, registered for the offences punishable under Sections 401, 413, 414, 411, 420, 467, 468 and 471 of the Indian Penal Code

The petitioner is named in the F.I.R. with allegation that he indulged in stealing of vehicles and the petitioner has purchased the stolen vehicle from Sanjay Yadav.



Submission is of false implication and that the petitioner being bonafide purchaser has been implicated wrongly, the name of the petitioner has been disclosed by co-accused Dharmendra Prasad @ Dharma and Sanjay Kumar Yadav and both have been allowed bail and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. is not in a position to distinguish the case of the petitioner from those co-accused.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 1st Assistant Sessions Judge, Gaopalganj, in connection with Barauli P.S. Case No. 155 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.)

Rajiv/-

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