

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32095 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -JAKKANPUR District- PATNA

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Md. Arzoo S/o Md. Maimuddin R/o Naya Tola Maula Bagh, Phulwari Sharif, P.S. Phulwari Sharif, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 14-06-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application has been filed for the grant of regular bail to the petitioner in connection with Jakkanpur P.S. Case No. 172 of 2017 for the offences punishable under Section 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner has been taken on remand in the present case on mere suspicion, as alleged, stolen vehicle has not been recovered from his possession. Learned counsel submits that the petitioner has been granted bail in six other cases in which he had been taken on remand on mere suspicion as there was no material to connect him with the stolen vehicle. It is further pointed out that learned co-ordinate Bench of this court has been pleased to grant regular bail to the co-accused who were similarly situated vide orders annexed as Annexure – 2 series to the present application.

Learned Additional Public Prosecutor for the



State is present.

Considering the facts and circumstances whereunder it is stated that the petitioner has been taken on remand and that there is no recovery of stolen vehicle from the possession of the petitioner, I would direct release of the petitioner on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Learned Sub-Judge-Cum-Additional Chief Judicial Magistrate-I, Patna, in connection with Jakkanpur P.S. Case No. 172 of 2017, subject to the conditions apart from the condition under Section 437(3) Cr.P.C. that one of the bailors would be a family members of the petitioner having no criminal antecedent and the petitioner shall cooperate in course of trial, two consecutive failures of the petitioner to present himself to the trial court, without there being any cogent reason shall invite cancellation of bail by the court below without waiting for any application from the prosecution.

(Rajeev Ranjan Prasad, J)

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