

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29391 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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Avinash @ Suraj Kumar S/o Late Raja Prasad Ray, R/o Vill.- Dighi Kala
(West Yogi Asthan), P.S.- Hajipur Sadar in the District of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Md. Ansarul Haque

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

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with
Industrial Area P.S Case No. 23 of 2018 registered for the
offences punishable under Sections 412, 414/34 of the Indian
Penal Code.

Allegedly, during night patrolling two persons on
Apache Motorcycle tried to flee away but were caught and the
two persons were co-accused Vikram Kumar and the petitioner.
After search, from possession of Vikram Kumar one Micromax
mobile set having SIM of Voda company was recovered
whereas from possession of the petitioner nothing was



recovered. Regarding motorcycle no paper was produced and co-accused Vikram Kumar stated that it was brought after committing theft and it was for sale and two persons are coming. Thereafter, two persons came who were caught and they stated that they have come to take the motorcycle.

Submission is of false implication and that nothing has been recovered from possession of the petitioner, he has got no concern with recovered vehicle, without any fault he is suffering in custody since 21.02.2018, and, as such, he deserves sympathetic consideration.

Learned A.P.P. submits that the petitioner has criminal antecedents.

In the facts and circumstances stated above, the petitioner above named 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Industrial Area P.S. Case No. 23 of 2018, 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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