

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2146 of 2019

Arising Out of PS. Case No.-68 Year-2017 Thana- AMAS District- Gaya

=====

Upendra Chaudhary Sadhu Sharan Chaudhary R/vill-Lambua, P.S-Amas,
Distt.-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Binoy Kumar Sinha 1

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 31-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Amas P.S. Case No. 68 of 2017 registered for
the offence punishable under Sections 461, 379, 411,34 of the
Indian Penal Code.

Informant has alleged that after closing his shop, he
locked his shop and went to his residence and when he came for
morning walk, he saw the lock of the shop was broken and
goods worth Rs. 60,000/- was stolen. The police had detained a
pick up van, upon which the stolen articles of petitioner was
found and same was recovered and driver of the said pick up
van Sanjay Kumar was apprehended and he disclosed the name
of his four other associates including petitioner who were also
involved in stealing the articles from the shop.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to enmity of the co-accused Sanjay Kumar who has confessed his name in the crime who himself has been granted bail as contained in Annexure-2. Petitioner has no criminal antecedent and he is in custody since 30.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, Gaya, in connection with Amas P.S. Case No. 68 of 2017 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

