

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6185 of 2019

Arising Out of PS. Case No.-135 Year-2018 Thana- CHACKMENSI District- Samastipur

AHMAD aged about 19 years (male) Son of Aftab Alam Resident of Village
– Chakmahesi P.S.- Chakmehsi District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-02-2019

Heard learned counsel for the parties.

Petitioner seeks bail in Chakmahesi P.S. Case No. **135 of 2018** registered for the offence punishable under Sections 413 and 414 of the Indian Penal Code.

Allegation against the petitioner is recovery of one stolen motorcycle from his possession.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Petitioner is in custody in 18.10.2018 and is having one criminal antecedent.

Considering the aforesaid facts and circumstances of the case and nature of allegation, I am not inclined to enlarge him on bail at this stage. As such the prayer for bail of petitioner is hereby rejected.



However, considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail after completing **six months in jail custody** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Samastipur, in connection with Chakmahesi P.S. Case No. **135 of 2018**, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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

