

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8730 of 2019

Arising Out of P.S. Case No.-611 Year-2018 Thana- AMARPUR District- Banka

PRIYESH KUMAR, Gender-Male, aged about 25 years, Son of Rajesh Kumar Chaudhary alias Rajesh Chaudhary Resident of Village - Pansalla, P.S. Bath, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Prasad Roy, Advocate
For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-02-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 17.11.2018 in connection with Amarpur P.S.Case No.611 of 2018 for the offence alleged under Sections 394 and 411 of the Indian Penal Code.

The prosecution case as lodged by the informant is that while he was sleeping in the house, at 2 P.M., he found certain noise outside and saw three persons stealing away his Bolero car. On alarm, the petitioner was apprehended and revealed the name of two other co-accused who were his associates.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He further



submits that no overt-act has been committed and no such occurrence had taken place rather the motorcycle of the petitioner had hit the Bolero car of the informant in the night and has been falsely implicated. He further submits that chargesheet has already been submitted there being no allegation of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the nature of allegations, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Amarpur P.S.Case No.611 of 2018 (G.R.No.3893 of 2018) to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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