

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9109 of 2019

Arising Out of PS. Case No.-328 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

BALRAM KUMAR @ ARYAN S/o Manoj Panjiyar @ Manoj Kumar
Panjiyar village-Maharajganj, P.S-Town, District Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
27.06.2018 in connection with Laheriasarai P.S. Case No. 328 of
2018 for offences punishable under Sections 401, 413, 414, 467,
468, 471 of the Indian Penal Code.

The prosecution case, as lodged by the informant
police personnel, is that on information that a gang of
motorcycle thieves is operating the police conducted a raid and
apprehended three persons with motorcycle, which bore no
registration number. On enquiry all the three revealed that they
indulged in theft of motorcycle and on their disclosure stolen
motorcycles were recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case only on the confessional statement made before the police, which has no evidentiary value in the eye of law. He further submits that charge-sheet has already been submitted there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have clean antecedent as two more cases, one of similar nature, are pending against him and on his confession five stolen motorcycles have been recovered.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Laheriasarai P.S. Case No. 328 of 2018, subject to the following conditions :

1. 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.



2. Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.
3. If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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

