

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26198 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- JAHANABAD District- Jehanabad

SHAMBHU KUMAR, aged about 24 years, Male, Son of Suryadeo Prasad,
Resident of village- Maharajchak, P.S.- Masaurhi, District- Patna
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Sinha, Adv.
For the Opposite Party : Mr. Ashraf Ansari, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2019

Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
09.02.2019 in connection with Jehanabad (Karauna) P.S. Case No. 98
of 2019 for the offences alleged under Sections 414, 420 and 34 of the
Indian Penal Code.

The prosecution case, as lodged by the police personnel, is
that during the course of vehicle checking a Bolero jeep was
intercepted and three persons were apprehended who could not
produce any papers regarding the ownership of the vehicle which was
alleged to be stolen one. The apprehended co-accused, including the
petitioner, admitted that one Ram Kumar Yadav had given them the
stolen vehicle. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid case. He submits that the petitioner did not know that the
vehicle was a stolen one and was just a passenger in the said jeep. He,



further, submits that the petitioner bears no criminal antecedent, but, after the present case the petitioner has been remanded in Masaurhi P.S. Case No. 96 of 2019 only on the basis of suspicion.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record, 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 Jehanabad (Karauna) P.S. Case No. 98 of 2019 to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad, or the successor Court, subject to the following conditions :

(i) 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.

(ii) 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)

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