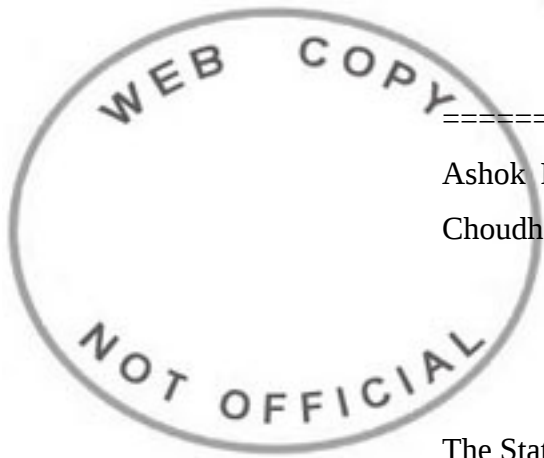


IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49136 of 2014

Arising Out of PS.Case No. -87 Year- 2014 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)



=====

Ashok Raut Son of Rameshwar Raut, Resident of Village - Bhopatpur
Choudhary Tola, P.S. - Kotwa, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 20-02-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Kotwa P.S. Case No. 87
of 2014 dated 21.05.2014 instituted under Section 392 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
though he is named in the F.I.R. but there is no recovery from him.
Learned counsel further submits that the petitioner along with
another co-accused, who is named are co-villagers whereas there



is also a third person in the F.I.R. but not named. It is submitted that though there is allegation of loot of mobile and cash of Rs. 20,000/- but only mobile has been recovered from the other named co-accused Sunil Paswan whereas from the petitioner there has been no recovery. It is submitted that the informant had some enmity with co-accused Sunil Paswan and because the petitioner is friend of Sunil Paswan, he has been implicated. Learned counsel further submits that the petitioner having clean antecedent is in custody since 20.08.2014.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, 1st Class, East Champaran at Motihari in Kotwa P.S. Case No. 87 of 2014. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the

Court on each and every date. Failure to do so on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

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