

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28272 of 2015**

Arising Out of PS.Case No. -4 Year- 2015 Thana -SIDHWALIA District- GOPALGANJ

Nitesh Kumar Singh, S/o Upendra Singh, resident of Village- Kabirpur, P.S. Mohammadpur, Dist- Gopalganj.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Adv.

For the Opposite Party/s : APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2 28-07-2015 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 461/379 of the Indian Penal Code registered in connection with Sidhwalia P.S. Case No. 04 of 2015.

3. It is submitted that the petitioner has been falsely implicated as the F.I.R. is against unknown persons and there is nothing to connect him to the alleged occurrence. Nothing has been recovered from the petitioner. Moreover, it is submitted that the petitioner is in custody in connection with other offences at the time when his so called confessional statement was also recorded but he was not remanded in this case at the relevant time.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest

or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Shri Ashish Mishra, learned Judicial Magistrate, Gopalganj in connection with Sidhwalia P.S. Case No. 04 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions :

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Md. Ibrarul/-

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