

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27547 of 2015

Arising Out of PS.Case No. -189 Year- 2014 Thana -TEKARI District- GAYA

Vivek Kumar son of Shri Umesh Sharma resident of Village Jagdar, P.S Tekari , District -Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad, Adv.

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-07-2015 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 392 of the Indian Penal Code registered in connection with Tekari P.S. Case No. 189 of 2014.

3. It is submitted that the petitioner has been falsely implicated and the F.I.R. itself is against unknown persons. His name has surfaced merely on the extra judicial confessional statement of co-accused Avinash Kumar. There is no recovery of any of the concerned articles from the petitioner whatsoever.

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 Sri Syed Qumar Hassan Rizvi, learned Judicial Magistrate, Ist Class, Gaya, in connection with Tekari P.S. Case No. 189 of 2014, 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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