

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47099 of 2015

Arising Out of PS.Case No. -127 Year- 2014 Thana -KAKO District- JEHANABAD

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Chandan Kumar Son of Hari Prasad, Residence of Village - Varthua Tola
Mani Bigha, P.S. - Kako (O.P. Velabar), + District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/s. Rashmi Kumari Mandilwar, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

- 2 02-11-2015 As prayed, learned counsel for the petitioner is permitted to make correction in para-1 of the petition by putting words “ who put behind the bar”.
2. Heard learned counsel for the petitioner and learned APP for the State.
3. The petitioner apprehends his arrest for the offences alleged under Section 379 of the Indian Penal Code registered in connection with Kako P.S. Case No. 127 of 2014.
4. It is submitted that the petitioner has been falsely implicated as the motorcycle in question has been recovered from the possession of co-accused Prince Kumar who has since been granted bail by the learned A.C.J.M., Jehanabad and the name of the petitioner has transpired only on the confessional statement of the said accused.
5. 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 learned Chief Judicial Magistrate, Jehanabad, in connection with Kako P.S. Case No. 127 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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