

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5982 of 2016

Arising Out of PS.Case No. -394 Year- 2015 Thana -TEKARI District- GAYA

1. Akhilesh Kumar, Son of Sri Ramadhar Mahto, Resident of Village Nighma, O.P. Manikpur, Police Station Kurtha, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner : Mr. Prashant Vedasen, Advocate
Mr. Subhash Chandra Bose

For the Opposite Party : Mr. Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 23-02-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Tekari Police Station Case No. 394 of 2015, disclosing offences under Section 395 of the Indian Penal Code.

Learned Counsel for the petitioner submits that the petitioner was not named in the First Information Report and his named surfaced only on the basis of the confessional statement of co-accused, Amit Gaurav, who is inimical with the petitioner. He further submits that in similar circumstances, one co-accused, Ravi Kant Kumar, has been granted anticipatory bail by this Court by order dated 11.12.2015, passed in Criminal Misc. No. 56266 of

2015. It also appears that the said Amit Gaurav has been granted regular bail by this Court by order, dated 08.01.2016, passed in Criminal Misc. No. 723 of 2016.

Considering the facts aforesaid, this application is allowed.

Let the petitioner, Akhilesh Kumar, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri S. K. Rai, learned Additional Chief Judicial Magistrate, Gaya, in connection with Tekari Police Station Case No. 394 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the same may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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