

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36218 of 2016

Arising Out of PS.Case No. -148 Year- 2014 Thana -PUSA District- SAMASTIPUR

Mukesh Kumar S/o Surendra Mahto, Resident of Village Sari; P.S Warisnagar; District Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party: Mr. J.K. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-09-2016 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 Pusa P.S. Case No. 148 of 2014.

3. It is submitted that the petitioner has been falsely implicated merely on the confessional statement of co-accused Rajiv Kumar who has been arrested on the spot. No recovery has been made from the possession of the petitioner. It is further submitted that the petitioner is also accused in the two cases in which he is on bail.

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 bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Samastipur in connection with Pusa P.S. Case No. 148 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also

subject to the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

B.T/Ibrar

(Vikash Jain, J)

U		T	
---	--	---	--