

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 5164 of 2015

Arising Out of PS.Case No. -200 Year- 2013 Thana -GAURICHAK District- PATNA

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Bijendra Kumar, Son of Late Rajendra Sao, Resident of Village-Yamunapur, Maal
Ki Kachhari, P.S-Malsalami, District-Patna.

... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-05-2016

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in Gaurichak P.S. Case
No. 200 of 2013 dated 05.08.2013 instituted under Section 392 of
the Indian Penal Code.

This is the second attempt of the petitioner for bail
in connection with Gaurichak P.S. Case No. 200 of 2013 as earlier
such prayer was rejected by order dated 17.07.2014 in Cr. Misc.
No. 18620 of 2014.

By order dated 08.04.2016 a report was called from
the Court below with regard to the stage of the trial and reasons
for delay. Pursuant to the same, a report has been received from
the Judicial Magistrate, 1st Class, Patna City dated 23rd April,

2016, in which he has stated that the trial was likely to be concluded within one year.

Learned counsel for the petitioner submits that four persons have been made accused, out of which three have been granted bail and the petitioner is in custody since 05.10.2013. It is submitted that the petitioner was not named in the F.I.R. and only later on, as he was arrested in connection with another case, in which he is said to have given confessional statement, he has been implicated in the present case. It is submitted that the vehicle has not been recovered from his possession but later from a Garage and the owner of the said Garage has not been made an accused.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City in Gaurichak P.S. Case No. 200 of 2013, subject to the condition that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the

trial and be present before the Court on each and every date.
Failure to do so shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

Anand Kr.

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	