

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43542 of 2016

Arising Out of PS.Case No. -603 Year- 2016 Thana -BANKA District- BANKA

Tarkeshwar Bharti @ Tarkeshwar Thakur Son of Late Nepali Thakur @
Late Nepal Thakur, resident of village- Manikura, P.S.- Jhajha, District-
Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-10-2016

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.07.2016 in
connection with Banka P.S. Case No. 603 of 2016 for the offences
alleged under Sections 406, 420, 379, 120(B)/34 of the Indian
Penal Code and later on Section 411 of the Indian Penal Code was
added.

3. It is submitted that the petitioner has been falsely
implicated only on the confessional statement of co-accused Ashok
Thakur, who in turn is also not an F.I.R. named accused. The owner,
driver and khalasi of the truck in question have been granted bail
and so also the said Ashok Thakur from whose possession the
recovery of 281 bags of wheat was made has been granted bail by
this Court in Cr. Misc. No. 41505 of 2016 and Cr. Misc. No. 43870 of
2016 respectively. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and
circumstances of the case, let the petitioner above named 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, Banka, in connection with Banka P.S. Case No. 603 of 2016, with the following conditions:-

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

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

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

(Vikash Jain, J)

Md. Ibrarul/BT

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