

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36389 of 2016

Arising Out of PS.Case No. -86 Year- 2015 Thana -KUCHAIKOTE District- GOPALGANJ

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Bibhuti Yadav @ Bhabhuti Yadav son of Late Ganga Yadav, resident of village - Sipaya (Baluan Sagar), Police Station - Bishambharpur, District Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-09-2016 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 414 of the Indian Penal Code registered in connection with Kuchaikote P.S. Case No. 86 of 2015.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion as except the statement of the informant Chaukidar based on hearsay, there is no material to connect the petitioner with the offence alleged.

4. Having regard to the entirety of the facts and circumstances, 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, Gopalganj in connection with Kuchaikote P.S. Case No. 86 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further 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) That 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) That 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.

(Vikash Jain, J)

Chandran/BT

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