

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41385 of 2016

Arising Out of PS.Case No. -257 Year- 2016 Thana -FATUHA District- PATNA

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Radhe Shyam Prasad Son of late Mahipat Roy @ Mahipat Gope Resident
of Kewalatar, P.O. and P.S. - Fathua, Dist - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party : Mr. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 05.07.2016 in connection with Fathua P.S. Case No. 257 of 2016 for the alleged offences under Sections 420, 290 of the Indian Penal Code and Section 47, 51, 54, 57 of the Bihar Excise Amendment Act, 2016.

3. It is submitted that the petitioner has been falsely implicated merely on the confessional statement of co-accused persons. There is no recovery of any incriminating goods from the possession of the petitioner nor he is an inmate of the house from where the recovery has been made. The petitioner has not been arrested at the spot.

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 Sri M.S. Jabin Jamal, learned J.M. Ist Class, Patna City in connection with Fathua P.S. Case No. 257 of 2016 on 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.

(iii) 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.

Chandran/Ibrar

(Vikash Jain, J)

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