

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38590 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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Arun Kumar S/o Late Kuner Chandra Gupta, Resident of Village & PO.-
Gorari, P.S.- Karakat, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 272, 273 and 120B of the Indian Penal Code and Sections 47(A), 51, 57 and 63 of the Bihar Excise Amendment Act, 2016 registered in connection with Nasriganj P.S. Case No. 121 of 2016.

3. It is submitted that the petitioner has been falsely implicated only on the basis of the confessional statement of accused Anul Ansari and no recovery of any incriminating articles has been made from the possession of the petitioner. Similarly situated accused Rohit Kumar @ Jackie has been granted bail by this Court in Cr. Misc. No. 37811 of 2016.

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 SJ-Ist-cum- A.C.J.M., Bikramganj, Rohtas at Sasaram in

connection with Nasriganj P.S. Case No. 121 of 2016, 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) 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)

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