

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41268 of 2016

Arising Out of PS.Case No. -271 Year- 2015 Thana – AURANGABAD MUFFASIL District-
AURANGABAD

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Kashi Kumar @ Rajpal Yadav, son of Late Yamuna Yadav @ Kali Yadav,
resident of Village- Naya Tola Jurab Ganj, P.O.- Musapur, P.S.- Kodha,
District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Chandra, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.07.2015 in connection with Aurangabad (M) P.S. Case No. 271 of 2015 for the offences alleged under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and he is not FIR named accused and the name of the petitioner has surfaced only on the confessional statement of co-accused Umesh Kumar in connection with Daudnagar P.S. Case No. 260 of 2015 and except such confessional statement, there is no other materials to connect the petitioner with the alleged offence. It is stated that no recovery has been made from the conscious possession of the petitioner.

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, Aurangabad in connection with Aurangabad (M) P.S. Case No. 271 of 2015 with 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 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 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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