

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7987 of 2017

Arising Out of PS.Case No. -199 Year- 2016 Thana -BAHERI District- DARBHANGA

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Monu Kumar @ Monu Kumar Mandal, son of Kamal Mandal, resident of
Village- Sunderban Dhanauli, P.S.- Baheri, District- Darbabga,

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Yugul Kishore, Sr.Advocate with
Mr. Ugranath Mallik, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Baheri P.S.Case No. 199 of 2016 registered for the offences
punishable under Sections 379 and 411/34 of the Indian Penal
Code.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR but later on on the basis of
confessional statement he has been made accused in this case and
he has remained in custody for three and a half months and has no
criminal antecedent.

Heard learned APP also, who has opposed the prayer
for bail stating that on his confessional statement motorcycle was
recovered from the house of co-accused.

Having heard both sides and considering the fact that
no doubt petitioner is not named in the FIR but motorcycle has
been recovered on the basis of his confessional statement from one
co-accused and considering the fact that petitioner has no criminal
antecedent and has remained in custody for three and a half
months, let the petitioner, above named, be released on bail on



furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IX-cum-Judicial Magistrate, 1st Class, Darbhanga, in connection with Baheri P.S.Case No. 199 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move the cancellation of his bail.

(iv) If petitioner is indulged in such type of cases in future, prosecution will be at liberty to move cancellation of his bail.

(Vinod Kumar Sinha, J)

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