

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16780 of 2017

Arising Out of PS. Case No. -264 Year- 2016 Thana -KISHUNPUR District- SUPAUL

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Amit Kumar @ Amit, Son of Damodar Malakar, Resident of Village-
Bageba, Police Station Kishanpur, District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satish Kumar Singh, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 08.01.2017 in connection with Kishanpur P.S. Case No. 264 of 2016 for the offences alleged under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as evident from the fact that the mobile recovered from his possession bore IMEI No. 911383051414728 whereas stolen mobile bore IMEI No. 91138705141720. The first information report is against unknown person and the petitioner has not been put on test identification parade for his identification. Except one case being Saharsa P.S. Case No. 613 of 2013 instituted against the petitioner, there is no other case in which he has been made accused. Statement is made at the Bar that the petitioner is on bail in said Saharsa P.S. Case No. 613 of 2013.

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, Supaul in connection with Kishanpur P.S. Case No. 264 of 2016 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.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, 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.

(Vikash Jain, J)

B.T/Chandran

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