

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12824 of 2017

Arising Out of PS. Case No. -236 Year- 2016 Thana -VAISHALI District- VAISHALI (HAJIPUR)

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Vikash Kumar, Son of Rajesh Sahani, Resident of Village- Makhdumpur,
P.S.- Karja, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mrs. Bela Singh, Advocate

For the Opposite Party: Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.09.2016 in connection with Vaishali P.S. Case No. 236 of 2016 for the offences alleged under Sections 413 and 414 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as evident from the very seizure list which discloses that the motor-cycles in question have been recovered variously from the hut in village Matauna and from the main road 100 meters from Malang Asthan in village Manpura and not from the possession of the petitioner who is resident of village Makhdumpur, P.S. Karja, District Muzaffarpur. Similarly situated co-accused Dinesh Mahto @ Gaur Mahto has been granted bail by this Court in Cr. Misc. No. 7104 of 2017.

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, Vaishali in connection with Vaishali P.S. Case No. 236 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/psc

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