

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13207 of 2017

Arising Out of PS.Case No. -162 Year- 2012 Thana -BARUN District- AURANGABAD

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Rakesh Kumar Gupta @ Rakesh Kumar @ Rakesh Gupta, son of
Surendra Prasad Gupta, resident of village - Shahpur, P.S. Aurngabad
Town , District - Aurangabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 24.09.2015 in
connection with Barun P.S. Case No. 162 of 2012 for the offences
alleged under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated and the F.I.R. is against three unknown persons and the
petitioner has been implicated merely on the confessional
statement of co-accused. No test identification parade has been
conducted for his identification. No recovery of any incriminating
articles has been made from his possession. Similarly situated co-
accused Sudhir @ Babloo @ Babil Kumarn @ Babli has been
granted bail by this Court in Cr. Misc. No. 23535 of 2015.



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 Barun P.S. Case No. 162 of 2012, on 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)

Md. Ibrarul/psc

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