

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13100 of 2017

Arising Out of PS.Case No. -210 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. DIPAK KUMAR SHAH @ DIPAK KUMAR, S/o Ram Bilash Shah,
Resident of Village- Gopalpur, Police Station- Cheriabariarpur, District-
Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Dr. Indivar Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-04-2017 Heard the parties.

This application has been filed in connection with
Bibhutipur P.S.Case No.210 of 2016 for the offence under Section
302 of the Indian Penal Code.

It is submitted on behalf of the petitioner that it is alleged
that one Pistol has been recovered and for that another case has
been lodged and it is alleged that the police has taken confessional
statement in this case; in which he has disclosed name of his
brother and on his disclosure, the recovery was made from the
house of Laxmi Mahto. From the confessional statement, it does
not disclose that he participated in any way in the loot and he is in
custody since 5.12.2016.

Heard learned A.P.P. also, who could not controvert the



above facts.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Samastipur in connection with Bibhutipur P.S.Case No.210 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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