

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13017 of 2017

Arising Out of PS. Case No. -541 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN (MOTIHARI)

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Arvind Kumar son of Prahlad Kumar, resident of village Thakurbari,
Police Station Town Motihari, District East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 05.12.2016 in connection with Trial No. 618 of 2017 arising out of Town P.S. Case No. 541 of 2016 for the offences alleged under Sections 457 and 380 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and he is not named in the first information report which is against unknown person. The petitioner's name has transpired on the extrajudicial confession of co-accused Chhotu Kumar @ Raj Kumar @ Chhota who has since been granted bail by this Court in Cr. Misc. No. 12918 of 2017. The petitioner claims clean antecedent.

4. Be that as it may, 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 Additional Chief Judicial Magistrate-7, Motihari, East Champaran in connection with Trial No. 618 of 2017 arising out of Town P.S. Case No. 541 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)

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