

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6938 of 2017

Arising Out of PS.Case No. -746 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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Kundan Kumar @ Vikash Kumar, son of Rambabu Prasad Chaurasia, resident of Village- Braitha, Police Station- Chakiya, District- East Champaran at present resident of Village- Sheikhpur Dhav, Police Station- Ahiyapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Ahiyapur P.S.Case No. 746 of 2016 registered for the offences punishable under Sections 379, 406, 420 and subsequently Section 411 of the Indian Penal Code has been added.

It has been submitted on behalf of the petitioner that petitioner is named in the FIR but he has been a victim of circumstances and he has been named on the basis of suspicion and confessional statement of co-accused and there is no recovery from the petitioner and he is in custody since 19.11.2016 having no criminal antecedent.

Heard learned APP also.

Having heard both sides and considering the fact that except suspicion there is nothing against the petitioner and he is in



custody for about four months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur P.S.Case No. 746 of 2016, subject to the conditions that :-

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

(Vinod Kumar Sinha, J)

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