

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18933 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -RAJIVNAGAR District- PATNA

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Gautam Kumar, S/o Sri Kapil Rai, R/v- Digha Mica Colony, P.S.- Digha,
Distt.- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-04-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Rajeev Nagar P.S.Case No. 47 of 2017 registered for the offences
punishable under Sections 420, 467, 468, 471/34 of the Indian
Penal Code and 3 of Damage of Public Property Act.

Allegation against the petitioner is that in his
supervision co-accused is making constructions over the land of
Bihar State Housing Board.

It has been submitted on behalf of the petitioner that
even in FIR there is suspicion that constructions were carried on
under his supervision as his shop is situated near the place of
occurrence and he is in custody since 9.3.2017.

Heard learned APP also, who has opposed the prayer
for bail.

Having heard both sides and considering the fact that
there is no direct allegation against the petitioner and he is in
custody for more than one month, let the petitioner, named above,



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 Sri Abhijeet Kumar, Sub-Judge-III-cum-ACJM, Patna, in connection with Rajeev Nagar P.S.Case No. 47 of 2017, 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 for cancellation of his bail.

(iv) In future if complicity of the petitioner in such type of offence has come, his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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