

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16772 of 2017

Arising Out of PS.Case No. -371 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Manish Raj Mayank S/o Sri Bhola Ram, Resident of Village- Baraini,
Police Station- Kahalgaon, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashutosh Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.01.2017 in connection with Kahalgaon P.S. Case No. 371 of 2016 for the offences alleged under Sections 395 and 397 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the first information report is against five unknown persons. No test identification parade has been conducted in order to identify the petitioner. Except extra-judicial confession of co-accused Chikku Kumar Yadav, there is no other material to connect the petitioner with the alleged occurrence. No recovery of any incriminating materials has been made from his possession. The petitioner claims clean antecedents.

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 Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon P.S. Case No. 371 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)

B.T/Chandran

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