

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26691 of 2017

Arising Out of PS.Case No. -312 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI
=====

1. Gulshan Kumar @ Rajeev Kumar Son of Mahesh Mahto, Resident of
Dumaria, Police Station- Bibhutipur, Distirct- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad
=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-06-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Begusarai Town P.S.Case No.312 of 2016, registered for offences
punishable under Sections 379/34 & 411 of the Indian Penal Code.

As per the F.I.R., the allegation is that the informant had
given lift to the petitioner but the petitioner any how took away his
motorcycle. The petitioner is named in the F.I.R.

It is submitted on behalf of the petitioner that the petitioner
has been falsely implicated in this case, which will appear from
the fact that there is delay in lodging the case, though the
petitioner is accused in one another case but he is on bail in that
case. The petitioner is in custody since 2.1.2017.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances as well as the petitioner is in custody for more than 5 ½ months, as such, 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., Begusarai in connection with Begusarai Town P.S.Case NO.312 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.
- (iv) In future, if his active partition is found in such type of cases, his bail bond shall automatically be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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