

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34278 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Hasnain, Son of SK. Wahidul Haque, resident of village Sapahi,
P.S. Panchpakari, O.P. Dhaka, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-09-2017 The petitioner seeks regular bail in connection with

Kundwa Chainpur P.S. Case No. 75 of 2017, registered for

offences punishable under Sections 413, 414 and 34 of the Indian

Penal Code.

Allegation against the petitioner is of committing theft of

one Buddha Idol of Asta Dhathu.

It has been submitted on behalf of the petitioner that there

is nothing on record that the said idol is made of asta dhatu and

further there is also nothing available on record to show that

alleged idol was a stolen one. Further petitioner has no criminal

antecedent and has been in judicial custody for last four months.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that

petitioner's name transpired on this case only on the basis of

confessional statement of co-accused and except that there is



nothing against the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sikranha at Dhaka, in connection with Kundwa Chainpur P.S. Case No. 75 of 2017,subject to the 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 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 reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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