

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46329 of 2017

Arising Out of PS.Case No. -248 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA

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Sumit Kumar Yadav @ Sumit Yadav Son of Late Dilip Yadav, R/o Village- Digghi, P.S.- Murliganj, District- Madhepura, At present Residing at Lohiyanagar, Katihar, P.S.- Katihar Sahayak, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jibendra Mishra, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 12.06.2017 in connection with K. Nagar P.S. Case No. 248 of 2017 (GR No. 1902 of 2017) for the alleged offences under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and the FIR is against unknown persons. Except his self confession before the police there is no material to connect him with the alleged occurrence. The petitioner is a resident of Katihar town and the alleged occurrence is said to have been committed at late night in Purnea District, which casts doubt about the petitioner's involvement. No T.I. parade has been conducted for his identification.

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, Purnea in connection with K. Nagar P.S. Case No. 248 of 2017 (GR No. 1902 of 2017) on 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 co-operate 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.

(iv) 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.

Chandran/BT

(Vikash Jain, J)

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