

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36125 of 2017

Arising Out of PS.Case No. -570 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

=====

Chintu Nishadh @ Chitu @ Harishankar Nishadh Son of Late Sohan Chaudhari, R/o Village Mallah Toli, P.s. Mohania, District Kaimur at Bhabua.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 19-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 09.06.2017 in connection with Mohania P.S. Case No. 570 of 2016, G.R. No. 3065 of 2016 for the offences alleged under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and the F.I.R. is against unknown persons. The petitioner has been implicated on the statement of *khalasi* of the bus, which has been taken about six months after the alleged occurrence, which creates doubt of its veracity. 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, Kaimur at Bhabua, in connection with Mohania P.S. Case No. 570 of 2016, G.R. No. 3065 of 2016 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 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)

Md. Ibrarul/Chandran

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