

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47418 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -BIHARSHARIF RAIL P.S. District- PATNA

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Bittu Kumar, Son of Tuntun Prasad, Resident of Village- Dillu Bigha,
P.S.- Silaw, Distt- Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mritunjay Prasad Singh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 11.07.2017 in connection with Bihar Sharif Rail P.S. Case No. 10 of 2017 for the offences alleged under Sections 147, 148, 149, 341, 342, 325, 307, 353, 333, 379, 427, 436 of the Indian Penal Code, Section 27 of the Arms Act and Sections 145, 146, 147, 150, 153 of the Railways Act and Sections 3 and 4 of the Prevention of Damage to Public Properties Act.

3. It is submitted that the petitioner has been falsely implicated and there is general and omnibus allegation against a mob of 1000-1200 persons. No specific accusation against the petitioner has been made. Statement is made at the Bar that similarly situated co-accused Satish Kumar has been granted bail by this Court in Cr. Misc. No. 48512 of 2017. 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 Additional Chief Judicial Magistrate, Railway, Patna, in connection with Bihar Sharif Rail P.S. Case No. 10 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 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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