

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 55775 of 2017

Arising Out of PS.Case No. -430 Year- 2015 Thana -AGAMKUAN District- PATNA

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Baiju Kahar, S/o- Late Thagan Kahar, R/o- Saidpur, Nandnagar Colony,
P.S.- Bahadurpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr Binod Kumar 2, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 13-12-2017

Heard counsel for the petitioner and the State.

The petitioner is accused in Agamkuan Police Station
Case No 430 of 2015 registered for the offences punishable under
Sections 395/412 of Indian Penal Code.

Counsel for the petitioner submits that he is not
named in the first information report and on the basis of
confessional statement of another accused Ranjeet Kumar, he has
been dragged in the instant case. The said Ranjeet Kumar has
already been allowed bail by the Court below. It is further
submitted that there is no recovery of any incriminating article
from the conscious possession of the petitioner. It is also
submitted that though the petitioner is accused in some other
cases, the details of which have been mentioned in paragraph 3 of



the petition, but in all the cases, he is on bail. It is also submitted that having similar allegation, one another co-accused Jyoti Kumar @ Rakesh Kumar has been allowed bail by this Court by order dated 11.08.2017 passed in Cr Misc No 30733 of 2017.

Having regard to the submissions made on behalf of the petitioner, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VII, Patna City in Sessions Trial No 11 of 2017 arising out of Agam Kuan Police Station Case No 430 of 2015 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(3) That the petitioner will be well represented on



each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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