

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1909 of 2017

Arising Out of PS.Case No. -151 Year- 2016 Thana -DARBHANGA District- DARBHANGA

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1. Hari Shankar Kumar Gupta S/o Late Chhote Lal Gupta, Resident of
Mohalla-Rataopatti, Ward No. 9, P.S. Town, District-Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-02-2017 Heard the parties.

This application has been filed in connection with Darbhanga Town P.S.Case No.151 of 2016 for the offence under Sections 379, 411, 414, 467, 468, 471, 201 and 120(B) of the Indian Penal Code.

It is submitted on behalf of the petitioner that even according to allegation made in the F.I.R., the recovery was made at the instance of co-accused person from the road in front of the house of the petitioner and not from the conscious possession of the petitioner. The petitioner is in custody for about six months and he has clean antecedent.

Heard learned A.P.P. also, who opposes the prayer for bail of the petitioner.



Having heard both sides. In view of the fact that nothing has been recovered from the conscious possession of the petitioner and he has remained in custody for about six months and the petitioner has clean antecedent, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga in connection with Darbhanga Town P.S.Case No.151 of 2016.

With 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 shall co-operate 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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