

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18001 of 2017

Arising Out of PS. Case No. -1009 Year- 2016 Thana -SAHARSA District- SAHARSA

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Nikhil Kumar @ Ashish Kumar Son of Ajay Kumar Thakur, resident of
Chakla Nirmali, Ward No.26, Police Station & District -Supaul,

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 09.12.2016 in connection with Sadar (Saharsa) P.S. Case No. 1009 of 2016 for the offences alleged under Sections 302, 201 and 120B of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and first information report is against unknown person. Except extra-judicial confessional statement of co-accused Deepak Kumar Jha, there is no other material to connect the petitioner with the alleged occurrence. Similarly situated co-accused Deepak Kumar Jha has been granted bail by this Court in Cr. Misc. No. 13916 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 Chief Judicial Magistrate, Saharsa in connection with Sadar (Saharsa) P.S. Case No. 1009 of 2016 with 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.

B.T/Chandran

(Vikash Jain, J)

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