

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12790 of 2017

Arising Out of PS.Case No. -152 Year- 2016 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

=====

Kaushal Kumar @ Kaushal Ram @ Koshal Kumar @ Koshal Ram, son of
Mahendra Ram, resident of village Dohra Shahbajpur, P.S. Riga, District
Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance:

For the Petitioner : Mr. Subash Kumar, Advocate

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 26.06.2016 in
connection with Dhaka (Pach Pakari O.P.) P.S. Case No. 152 of 2016
for the alleged offences under Sections 364, 365/34 of the Indian
Penal Code.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion and the FIR is against unknown
persons. The victim has since been recovered and his statement
under Section 164 Cr. P.C. has been recorded in which the
petitioner has not been named. Similarly situated co-accused
Shyam Babu Gupta has been granted bail by this Court in Cr. Misc.
No. 1431 of 2017. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and



circumstances of the case as well as the period of custody since 26.06.2016 already suffered, 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 S.D.J.M., Sikarahana, Dhaka, East Champaran, in connection with Dhaka (Pach Pakari O.P.) P.S. Case No. 152 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 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.

(iv) 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.

(Vikash Jain, J)

Chandran/BT

U		T	
---	--	---	--

