

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8946 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -SURYAPURA District- SASARAM (ROHTAS)

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Kamlesh Choudhary, son of Late Kamakhya Choudhary, resident of village
- Lakhanpura, Police Station - Suryapura, District - Rohtas at Sasaram

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Suryapura P.S.Case No. 98 of 2016 registered for the offences
punishable under Sections 366A and 363/34 of the Indian Penal
Code.

It has been submitted on behalf of the petitioner that
no allegation has been made against the petitioner in the FIR but
later on it has come that the motorcycle of Bechan Choudhary has
been provided to the petitioner and that belongs to one Ram Pukar
Choudhary and except that there is nothing against the petitioner
and he is a mental patient also and is in custody since 28.12.2016.

Heard learned APP also.

Having heard both sides and considering the
submissions advanced on behalf of the petitioner as well as the
fact that petitioner is in custody for two months and nothing



specific has been leveled against him, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Bikramganj, District Rohtas, in connection with Suryapura P.S.Case No. 98 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate 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 reason, the prosecution is free to move the cancellation of his bail.

(Vinod Kumar Sinha, J)

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