

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13998 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -MUZAFFARPUR RAIL P.S. District- SARAN
=====

Vikash Kumar, Son of Bhola Prasad, resident of Village- Akhara Ghat,
P.S. Aahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Smt Indu Kumari Srivastava
=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-03-2017 Heard the parties.

This application has been filed in connection with
Muzaffarpur Rail P.S.Case No.114 of 2016 for the offence under
Sections 379 and 411 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the falsity of
the prosecution case will appear from the allegation as made in
the F.I.R., which shows that Purse of the informant was taken
away by some one and on the next day, the same was recovered,
which is not at all believable. It is further submitted on behalf of
the petitioner that the petitioner has clean antecedent and he has
remained in custody for about three months.

Heard learned A.P.P. also.

Having heard both sides and in view of clean antecedent of



the petitioner as well as the fact that he has remained in custody for about three months, 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 A.C.J.M. (Railway Sonepur, Saran) in connection with Muzaffarpur Rail P.S.Case No.114 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 will not induce any witness or tamper with the evidence.
- (iii) 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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