

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31851 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -MUNGER MUFFASIL District- MUNGER

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Rabish Kumar @ Ravish Kumar, Son of Bhola Prasad Yadav, Resident of
Village-Mansi Ekania, Police Station-Mansi, District-Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Viveka Nandsingh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 27.02.2017 in connection with Munger Muffasil P.S. Case No. 47 of 2017 for the offences alleged under Sections 147, 148, 149, 352, 353, 307 of the Indian Penal Code and 25(1-b)A, 26(i), 27 and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated. No specific allegation of assault has been made against the petitioner and hence the allegation under Section 307 of the Indian Penal Code is not substantiated. Cognizance has not been taken in connection with the offences alleged under the Arms Act. Similarly situated co-accused Girdhar Kumar has been granted bail by this Court in Cr. Misc. No. 29345 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 Sub-Divisional Judicial Magistrate, Munger, in connection with Munger Muffasil P.S. Case No. 47 of 2017, 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 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.

(Vikash Jain, J)

Md. Ibrarul/-

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