

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41941 of 2017

Arising Out of PS.Case No. -281 Year- 2017 Thana -KOTWALI District- PATNA

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1. Subhash Kumar @ Pitamber Kumar S/o Ram Nandan Prasad R/o
Village- Rahincha, P.S. Shekhopur Sarai, District- Shekhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey

For the Opposite Party/s : Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-09-2017 Heard the parties.

The petitioner seeks regular bail in Kotwali P.S. Case
No.281 of 2017 registered for the offence under Sections 417,
418, 419, 420 and 120B of the I.P.C.

Allegation as per the F.I.R.against the petitioner is
that the informant had received a telephonic call that his son has
failed in the examination and if she provides money then he may
be passed and on that basis that mobile was recovered and two
persons were made accused. It further appears that he is not named
in the F.I.R. but his name transpired in course of investigation on
the basis of confessional statement of other co-accused.

Submission of the learned counsel for the petitioner is
that nothing has been recovered from his possession nor any cash



was given by the informant and he is in custody for two months. Charge sheet has been submitted. There is only one case is in his credit.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, and he is not named in the F.I.R. let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of C.J.M., Patna, in Kotwali P.S. Case No.281 of 2017 subject to the conditions that (1) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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