

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52817 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -DANAPUR RPF/POST District- PATNA

=====

Gautam Kumar @ Baila son of Shyam Kishor Ram, resident of village-
Dallu Chak Devi Asthan P.S. Khagaul District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Section 3RP (UP) Act.

Counsel for the petitioner submits that on the basis of
confessional statement of co-accused he has falsely been
implicated in the present case though he has not been named in the
FIR. He further submits that no material connected with the instant
case has been recovered from the possession of the petitioner. He
also submits the petitioner has no criminal antecedent prior to the
instant case and he is in jail custody since 06.02.2017. The other
co-accused of the instant case has been granted bail by coordinate
Bench of this Court which has been annexed as Annexure 2 series.

In the facts and circumstances of the case, prayer for
bail of the petitioner is allowed. Let the petitioner above named be



released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Railway Judicial Magistrate, Bhojpur at Ara in Danapur R.P.F Case No. 02 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.
- (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner,



his bail will be liable to be cancelled for reasons of misuse.

- (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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

