

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18145 of 2017

Arising Out of PS.Case No. -65 Year- 2016 Thana -ROSERA District- SAMASTIPUR

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1. Kunal Kumar S/o- Mantun Singh Resident of Village- Barauni Flag, P.S. Teghra, Distt- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Rosera P.S.Case No.65 of 2016 registered for offences punishable under Sections 379 & 411 of the Indian Penal Code.

Allegation against the petitioner is about recovery of one Motorcycle bearing No.BR09 3170, Chessis No.MD625MF58C1F79978 and Engine No.DF5FC1187271, however, it is submitted on behalf of the petitioner that he has been falsely implicated in this case at the instance of the police officer and falsity of the case will appear from the seizure list itself as it is clearly mentioned in the seizure list that the same has been recovered from one Raja Kumar. The petitioner also remained in custody for more than a year and so far criminal



antecedent of the petitioner is concerned, it is submitted that the petitioner has been made accused in other cases also at the instance of the Police Officer as the father of the petitioner has lodged complaints against the Police Officials.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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., Rosera, Samastipur in connection with Rosera P.S.Case No.65 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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