

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12782 of 2017

Arising Out of PS.Case No. -247 Year- 2016 Thana -PIRBAHOR District- PATNA

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Mantun Kumar son of Lalan Shah @ Lalan Prasad, resident of Village-
Aatapur, P.S. Hasanpur, District- Samastipur (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 21.09.2016 in connection with Pirbahore P.S. Case No. 247 of 2016 for the offences alleged under Sections 420 and 379 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and he is not named in the F.I.R. Petitioner's name has surfaced on the extra judicial confessional statement of Darshan Mahto. The petitioner has not been identified in Test Identification Parade despite notices to the informant by the Investigating Officer. Charge sheet has already been submitted and there is no chance of tampering with the evidence. The petitioner has been remanded in this case having earlier been arrested in Rajeev Nagar P.S. Case No. 193 of 2016. Statement is made at the bar that the petitioner is on bail in the said Rajeev Nagar P.S. Case No. 193 of 2016

4. 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 Chief Judicial Magistrate, Patna, in connection with Pirbahore P.S. Case No. 247 of 2016, 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/BT

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