

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19581 of 2017

Arising Out of PS.Case No. -109 Year- 2016 Thana -MATIHANI District- BEGUSARAI

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1. Raj Kumar, son of Ram Balak Singh, Resident of village- Sinhma Baburbani, P.S. Matihani, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh
Mr. Upendra Mishra

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Bail Petition No.366 of 2017 arising out of Matihani P.S.Case No.109 of 2016, registered for offences punishable under Section 392 of the Indian Penal Code.

The petitioner is not named in this case and his name transpired on the basis of confessional statement of the co-accused.

It is submitted on behalf of the petitioner that except confessional statement, there is nothing in the present case against him though one Motorcycle has been recovered; for that one another case has been lodged, in which the petitioner is on bail and so far as the allegation that the petitioner has been made accused



in that case, there is nothing against him and he has been remanded in that case from this case. He has not been put on T.I.P. up-till-now and the charge-sheet has been submitted.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that except confessional statement, there is nothing against him and he is in custody for about seven months, as such, 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, Begusarai in connection with Matihani P.S.Case No.109 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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