

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25084 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -PATNA CITY CHOWK District- PATNA

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Chhotu Kumar, S/o Parash Gope, resident of Mohalla- Mangal Talab
Dirapur, P.S.-Chouk, Dist. Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Tilak Sao, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 21.02.2017 in connection with Chouk P.S. Case No. 36 of 2017 for the alleged offences under Sections 414, 323, 307, 341/34 of the Indian Penal Code and Section 25(1-b)a, 26, 27, 35 Arms Act and Section 37 of the Excise Act.

3. It is submitted that the petitioner has been falsely implicated having been made accused on the confessional statement of co-accused Ajit Kumar who has been granted bail in Cr. Misc. No. 19431 of 2017. No recovery of any arms whatsoever has been made from the conscious possession of the petitioner nor was he found in drunken state. Petitioner is on bail in respect of the only other case namely Chowk P.S. Case No. 2 of 2015 in which he has been made accused.



4. Be that as it may, 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 Sri S. Ranjan, learned Judicial Magistrate 1st Class, Patna City, Patna in connection with Chouk P.S. Case No. 36 of 2017 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 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.

(iv) 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.

(Vikash Jain, J)

Md. Ibrarul/-

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