

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51331 of 2017

Arising Out of PS.Case No. -357 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Anup Kumar @ Anup Kumar Yadav @ Rahul Singh Son of Deepak
Yadav, R/o Village- Naya Tola, Jurabganj, P.S.- Kodha, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7,Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 17.06.2017 in connection with Motihari (Town) P.S. Case No. 357 of 2017 for the alleged offences under Sections 379/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and the FIR is against two unknown persons. The petitioner was in custody in Motihari Town P.S. Case No. 383 of 2017 and subsequently remanded in the present case. The informant claims to be an eye-witness of the occurrence, but till date no T.I. parade has been conducted for identification of the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner.

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 learned Chief Judicial Magistrate, Motihari, East Champaran in



connection with Motihari (Town) P.S. Case No. 357 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 co-operate 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)

Chandran/BT

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