

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59947 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -HATHUA District- GOPALGANJ

=====

Dipak Kumar, son of Dinanath Prasad @ Dinanath Sah, Resident of
Village- Ratanchak, P.S. Hathua, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 11.08.2017 in connection with Hathua P.S. Case No. 88 of 2017, G.R. No. 2300 of 2017 for the offences alleged under Sections 399, 402, 414 of the Indian Penal Code and Section 25(1-b) A, 26 and 35 of the Arms Act,

3. It is submitted that the petitioner has been falsely implicated merely on the basis of extra-judicial confession of co-accused, namely, Shakti Ram, Mantu Kumar Ram, Vivek Puri and Abhishek Kumar, who were arrested at the spot. No recovery of any incriminating articles has been made from conscious possession of the petitioner. The petitioner claims no criminal antecedents.

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, Gopalganj in connection with Hathua P.S. Case No. 88 of 2017, G.R. No. 2300 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 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)

B.T/Chandran

U		T	
---	--	---	--

