

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11208 of 2017

Arising Out of PS.Case No. -637 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Mousam Das, Son of Late Radhe Das, resident of Mohalla - Naya Tola,
Parbatti, P.S. Tatarpur, Distt. - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-03-2017 Heard the parties.

This application has been filed in connection with Kotwali
(Barari) P.S.Case No.637 of 2016 for the offence under Section
395 of the Indian Penal Code.

It is submitted on behalf of the petitioner that on the basis of
confessional statement of the co-accused before the Police, the
petitioner has been made accused in this case and arrested.
Nothing has been recovered from the possession of the petitioner
and no T.I.P. The petitioner has clean antecedent. He has remained
in custody for about four months.

Heard learned A.P.P. also, who could not controvert the
aforesaid fact.

Having heard both sides and in view of facts as stated above



and also considering the period of detention, 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 Kotwali (Barari) P.S.Case No.637 of 2016 in connection with C.J.M., Bhagalpur.

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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