

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37731 of 2017

Arising Out of PS.Case No. -110 Year- 2016 Thana -TARAIYA District- SARAN

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Chhotu Rai, son of Bishwanath Rai, R/o Village- Chakiya, P.S.- Taraiy,
District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-08-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Taraiya
P.S. Case No. 110 of 2016 registered for the offences punishable
under Sections 461 and 379 of the Indian Penal Code.

Petitioner is not named in the FIR and later on his name
transpires in the confessional statement of co-accused and the case
is of committing theft.

Submission of learned counsel for the petitioner is that
except confessional statement there is nothing against him and no
stolen article of the present case has been recovered from his
possession, rather whatever has been recovered is in another case
in which he is on bail. Further submission is that he is in custody
for more than one year.

Heard learned APP also.



Having heard both sides and considering the facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IX, Saran at Chapra, in connection with Trial No. 1165 of 2017, arising out of Taraiya P.S.Case No. 110 of 2016, subject to the conditions :-

- (i) One of the bailors should be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (ii) Petitioner will co-operate in trial and will appear on each and every date fixed in the case and on failure to appear without any genuine reason or without permission of court, his bail bond shall be cancelled.
- (iii) If active involvement of the petitioner in such type of cases is found in future, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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