

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17939 of 2017

Arising Out of PS.Case No. -182 Year- 2010 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

=====

Madan Rai Son of Kishori Rai, Resident of Village- Dobhidih, P.S.-
Panapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance:

For the Petitioner : Mr. Binod Kumar Mishra, Advocate

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 11.10.2015 in connection with Kotwa P.S. Case No. 182 of 2010 (T. No. 978 of 2016) for the alleged offences under Sections 323, 379/34 and 411 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the stolen tempo has been recovered from the orchard of co-accused Vinod Rai. The petitioner is not named in the FIR. His name has surfaced only on the confessional statement of co-accused Awadhesh Das.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody



since 11.10.2015 already suffered, 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 A.C.J.M. XII, Motihari, East Champaran, in connection with Kotwa P.S. Case No. 182 of 2010 (T. No. 978 of 2016) 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)

Chandran/BT

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

