

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31768 of 2017

Arising Out of PS.Case No. -166 Year- 2017 Thana -MARHAURA District- SARAN

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Dipu Kumar, Son of Shatrughan Prasad, Resident of Village- Bikrampur,
P.S. Marhowrah, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 22.05.2017 in connection with Marhowrah P.S. Case No. 166 of 2017 for the offences alleged under Section 379 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as the first information report is against unknown person. There is no recovery of the stolen motorcycle from conscious possession of the petitioner and he has been implicated merely on his own confessional statement before the police apart from which there is no material to connect the petitioner with the alleged occurrence. Statement is made at the Bar that the petitioner is already on bail in other two prior cases in which he has been made accused.

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 Dr. Rajesh Singh, learned Judicial Magistrate, Saran, Chapra in connection with Marhowrah P.S. Case No. 166 of 2017 with 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)

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