

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33592 of 2017

Arising Out of PS.Case No. -119 Year- 2013 Thana -GHOSI District- JEHANABAD

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Kaushal Kumar Son of Shiv Lakhan Singh, Resident of Village-Datiyana P.s.
Bikram District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-07-2017

Heard the learned counsel for the petitioner.

The petitioner seeks regular bail in connection with
Ghosi P.S. Case No. 119 of 2013, registered for the offence
punishable under Sections 395 of the Indian Penal Code.

The petitioner was earlier granted anticipatory bail by
an order dated 29.09.2016 passed by this Court in Cr. Misc. No.
28069 of 2016 with a condition that the court below would make
verification regarding criminal antecedent of the petitioner and in
case it is found that he is involved in any other criminal case prior
to 21.06.2016, he would be taken in custody.

It appears that the petitioner had not surrendered in the
court below on account of one another criminal case pending
against him.



The learned counsel for the petitioner submits that the petitioner is Ex-Army man and is languishing in custody since 26.05.2017.

Now coming to the merits of the case, the case of the prosecution is that when the informant and his driver were going on his tractor and when the tractor reached near Mananpur turning, then one Belero Jeep stopped in front of his tractor, 5-6 miscreants got down from jeep and committed theft of mobile and tractor after tying and throwing them in a ditch. The F.I.R. is said to have been registered against unknown persons. The name of the petitioner is stated to have been disclosed by the informant after few months of the lodging of the said F.I.R.

It is submitted by the learned counsel for the petitioner that in other case in which the petitioner is the main accused, he has been granted bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 50,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jehanabad in connection with Ghosi P.S. Case No. 119



of 2013.

It is further directed that upon being enlarged on bail, the petitioner shall appear on each and every date fixed by the learned trial court and in default thereof, the bail bonds of the petitioner would be liable to be cancelled forthwith and he would immediately be taken in custody.

(Mohit Kumar Shah, J)

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