

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53027 of 2017

Arising Out of PS.Case No. -204 Year- 2017 Thana -GARKHA District- SARAN

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1. Mithilesh Prasad, Son of Late Prasuram Prasad, Resident of Village-
Kishunpur, Police Station- Basantpur (Naviganj), Dist- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with Garkha
P.S.Case no.204 of 2017 registered for offences punishable under
Sections 461 and 379 of the Indian Penal Code.

Petitioner is not named in the FIR and his name transpired
on confession of the co-accused and it is alleged that there is
recovery of one mobile from his house.

Submission of the learned counsel for the petitioner is that
the said mobile belongs to his son. He has no criminal antecedent,
he has been falsely implicated in this case and he is in custody for
about five months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, 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 the learned A.C.J.M. 5th, Saran at Chapra corresponding to G.R.No.3198 of 2017 in connection with Garkha P.S.Case no.204 of 2017.

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 in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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