

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32152 of 2017

Arising Out of PS.Case No. -238 Year- 2016 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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KALLU PATEL @ KALU PATEL @ RAMBABU PATEL, son of Daroga Patel, resident of Village- Chargaha, P.S.- Bettiah Muffasil, District- West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-08-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Bettiah Muffasil P.S.Case No. 238 of 2016 registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code.

Petitioner is not named in the FIR. However, his name transpires in the confessional statement of co-accused.

It has been submitted on behalf of the petitioner that except confessional statement there is nothing against the petitioner and though he has been made accused in nine other cases but in all those cases he has been made accused on the basis of confessional statement of co-accused. It has further been



submitted that co-accused persons having similar allegation and criminal antecedents have been granted bail by different Benches of this Court in Cr.Misc.Nos. 11120, 31425 and 27955, all of 2017, vide orders dated 25.4.2017, 12.7.2017 & 27.7.2017 respectively.

Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, 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 Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bettiah Muffasil P.S.Case No. 238 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates



without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(iv) If active involvement of the petitioner in such type of cases is found in future, his bail bond shall be cancelled by the court below.

(Vinod Kumar Sinha, J)

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