

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11758 of 2018

Arising Out of PS.Case No. -60 Year- 2017 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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Chhotelal Kumar, son of Dev Lal Rai, r/o. Vill. Ratanpur,. P.S. Pipra
Kothi, Dist. East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is in custody since 08.04.2017 in connection with Pipra P.S. Case No. 60 of 2017 for the alleged offences under Sections 379 and 411 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with theft of a motorcycle on mere suspicion and he has not named in the FIR. Except the extra judicial confessional statement of co-accused Sharma Kumar there is no other material to connect the petitioner with the alleged occurrence. The said motorcycle has not been recovered from the conscious possession of the petitioner.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and considering the period of custody since 08.04.2017 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 Chief Judicial Magistrate, Motihari, East Champaran, in connection with Pipra P.S. Case No. 60 of 2017 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 co-operate 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

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