

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5558 of 2018

Arising Out of PS.Case No. -572 Year- 2017 Thana -MOTIHARI TOWN
District- EAST CHAMPARAN(MOTIHARI)

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Atul Kashyap @ Chunu, S/o Laxman Prasad Singh, Resident of Village-
Chhota Bariyarpur, P.S.- Chhatauni, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 12.09.2017 in
connection with Motihari Town P.S. Case No.572 of 2017
registered for the offence under Sections 387 and 120B of the
Indian Penal Code.

Learned counsel for the petitioner submits that
though the petitioner is not named in the F.I.R., his name has
surfaced in connection with the present case on the basis of an
extra-judicial confession made before the police by himself in
another case i.e., Motihari P.S. Case No.519 of 2017. It is
further submitted that only on suspicion, the petitioner was
arrested without any evidence and the said confessional



statement made before the police after his arrest also holds no evidentiary value.

Considering the aforementioned facts and circumstances and the nature of allegations made, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Motihari Town P.S. Case No.572 of 2017, subject to the following conditions:

(1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

(Anjana Mishra, J)

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