

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30333 of 2018

Arising Out of PS.Case No. -169 Year- 2017 Thana -PARWALPUR District- NALANDA
(BIHARSHARIFF)

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TULAN KUMAR @ TUSHAN S/o Ganga Gope, R/o Vill.- Barkhandha,
P.S.- Hilsa, Distt.- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 22-05-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Hilsa P.S. Case No. 633 of 2015 for the offences punishable
under Sections 147, 148, 149, 341, 323, 386, 307, 506 of the
Indian Penal Code.

It has been submitted that the case has been registered
against unknown persons. The name of the petitioner surfaced on
confessional statement of co-accuseds who were apprehended by
Police in connection with Parwalpur Police Station Case No.178
of 2017 registered for the offences under sections 399, 402 of the
Indian Penal Code and 25 (1-b)a, 26, 35 of the Arms Act. Nothing
has been recovered from the possession of the petitioner and
except the disclosure of his name by the co-accused, there is
nothing against him. The petitioner is in custody in two other



cases having similar allegation which was also based on confessional statement of aforesaid co-accused. The truck in question has been recovered from another district.

It is further submitted that exactly similarly situated co-accused person has been granted bail by this Court by an order dated 17.05.2018 passed in Crl. Misc. No. 23727 of 2018.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Hilsa, Nalanda in connection with Parwalpur P.S. Case No. 169 of 2017, subject to the 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 cooperate in the disposal of trial and make himself available as and when required by the court.*

(Mohit Kumar Shah, J)

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