

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46095 of 2018

Arising Out of PS.Case No. -134 Year- 2017 Thana -KOTWALI District- PATNA

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Arun Kumar, S/o Sunder Raj, R/o 40, Mill Colony, Ramji Nagar, P.O. &
P.S.- Ramji Nagar, District- Tiruchirappalli, Tamilnadu , PIN-620009.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakib Ayaz, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 28-08-2018

Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 05.05.2017 in
connection with Kotwali P.S. Case No.134 of 2017 registered
for the offence under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that
though the petitioner is not named in the F.I.R., on the basis of
the confessional statement made before the police by one
Rahul Rao, the petitioner has been implicated in connection
with the present case. He further submits that the petitioner
cannot be prosecuted on the basis of the confessional
statement made before the police, which has no evidentiary
value. He further submits that the petitioner was remanded in



connection with the present case after such confessional statement and he has also been remanded in several other cases. However, no recovery has been made nor has he been placed on T.I. Parade.

Considering the aforementioned facts and circumstances, 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, Patna, in connection with Kotwali P.S. Case No.134 of 2017, subject to the following conditions:

(1) One of the bailors will be the close relative of the petitioner.

(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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