

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68897 of 2018

Arising Out of PS. Case No.-127 Year-2017 Thana- BANGAWON District- Saharsa

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Bikash Kumar @ Golu Kumar, Son of Badri Kamat, Resident of Village-
Sihaul, P.S.-Bihra, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Bangaon P.S. Case No. 127 of 2017 registered
for the offence punishable under Section 393 of the Indian Penal
Code and Section 27 of Arms Act.

Informant who is the tempo driver in his fardbeyan
has stated that on 16.11.2017 at 10:00 PM while he was
returning home after plying tempo, three unknown miscreants
attempted to commit loot but he did not stop his vehicle and
they fired which hit his right hand and anyhow he reached the
Primary Health Centre from where he was referred to Sadar
Hospital, Saharsa where he was treated.

It has been submitted on behalf of the petitioner that
he has been falsely implicated in this case on the basis of



confession made by co-accused Prakash Kumar who has already been granted bail by this Hon'ble Court as contained in Annexure-2, except said confession there is no other incriminating material against petitioner. Petitioner is in custody since 11.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Saharsa, in connection with Bangaon P.S. Case No. 127 of 2017 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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