

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21187 of 2018

Arising Out of PS.Case No. -386 Year- 2017 Thana -BIHIYA District- BHOJPUR

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Niraj Ray, S/o Late Yogendra Ray, R/o Village-Sarangpur, P.S.-Shahpur,
District-Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sheo Jee Mishra, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 30.11.2017 in connection with Bihiya P.S. Case No. 386 of 2017 for the offences alleged under Section 379 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with theft of a tractor and the petitioner is not named in the F.I.R. His name has transpired on the extra judicial confessional statement of co-accused Makardhwaj Singh who has been granted bail by this Court in Cr. Misc. No. 11991 of 2018. Two other co-accused persons namely Rahul Tiwary and Shashikant Tiwary have also been granted bail by this Court in Cr. Misc. No. 16945 of 2018 and Cr. Misc. No. 16832 of 2018 respectively. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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, Bhojpur, Ara, in connection with Bihiya P.S. Case No. 386 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 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.
- (iv) The petitioner shall cooperate 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.

(Vikash Jain, J)

Md. Ibrarul/BT

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