

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1876 of 2018

Arising Out of PS.Case No. -530 Year- 2017 Thana -TURKAULIYA District- EASTCHAMPARAN
(MOTIHARI)

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Nemilal Chaudhary, Son of Ram Chandra Chaudhary, Resident of Village
Bairiya Dih, Police Station - Harsidhi, District - East Champaran at
Motihari.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjana, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 28.08.2017 in
connection with Turkauliya P.S. Case No. 530 of 2017 for the
offences alleged under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated merely on suspicion as he is not named in the first
information report but subsequently his confession has been
extracted before the police. No recovery of any incriminating
articles has been made from the conscious possession of the
petitioner nor any test identification parade has been conducted for
his identification. 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, Motihari, East
Champaran in connection with Turkauliya P.S. Case No. 530 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)

B.T/Chandran

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