

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36607 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -KOTWALI District- PATNA

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1. Arun Kumar, Son of Sunder Raj, resident of 40, Mill Colony, Ramji Nagar, P.O. & P.S.- Ramji Nagar, District- Tiruchirappalli, Tamilnadu, PIN- 620009.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakib Ayaz

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 01.04.2017 in connection with Kotwali P.S. Case No.137 of 2017 registered for the offences punishable under Sections 379 and 402 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner was taken into custody on the basis of the confessional statement made before the police by a co-accused which has no evidentiary value. Thereafter, the petitioner was made to give self-confession and also there has been no recovery of the looted article. However, the laptop which was alleged to have been stolen from the said vehicle has not been recovered from the



possession of the petitioner and the petitioner has been in custody for the past 15 months. It is further submitted that subsequent to his arrest in connection with the present case, the petitioner has already been remanded in connection with the other cases, but no T.I. Parade has been held till date.

Considering the facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds 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.137 of 2017 , subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (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 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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