

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55233 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -KUDHNI District- MUZAFFARPUR

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1. Rahul Kumar S/o Vinod Das, R/o Vill.- Jawadih, P.S.- Kudhani (Turki),
District- Muzaffarpur. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Sri Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offence
alleged under Section 392 of the Indian Penal Code registered in
connection with Kudhani P.S. Case No. 18 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on the basis of extra judicial confessional statement of
co-accused Manohar Kumar and Deepak Kumar, who were
apprehended on spot. No recovery of any incriminating article has
been made from the possession of the petitioner. Petitioner claims
clean antecedent.

4. Having regard to the entirety of the facts and
circumstances, as such, in the event of the petitioner arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioners 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 Additional Chief Judicial Magistrate-3rd West, Muzaffarpur in connection with Kudhani P.S. Case No. 18 of 2018 subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further 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 co-operate with the investigation, if not already concluded, and make him available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (iv) 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.

(Vikash Jain, J)

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