

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2224 of 2018

Arising Out of PS. Case No. -551 Year- 2017 Thana -KOTWALI District- PATNA

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Suraj Kumar @ Vaibhav Raj, son of Sri Manoj Kumar, resident of
Mohalla - Golghar Chauraha, Masjid Gali, P.S.- Budha Colony, District-
Patna, State Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Brajesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 17.10.2017 in
connection with Kotwali P.S. Case No. 551 of 2017 for the offences
alleged under Sections 356 and 379 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated in connection with the alleged theft of the informant's
mobile phone. The first information report is against two unknown
motor-cycle borne criminals and petitioner's name transpired from
the confessional statement of co-accused Prem Pandey @ Kanhaiya
who has been granted bail by this Court in Cr. Misc. No. 62538 of
2017. Co-accused Rahul Kumar @ Prince Raj has been granted bail
by this Court in Cr. Misc. No. 63661 of 2017. Recovery of the mobile
phone has been made from the possession of co-accused Akash
Deep and not from the petitioner who claims clean antecedents
prior to lodging of the present case.

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, Patna in connection with Kotwali P.S. Case No. 551 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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