

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.70580 of 2018**

Arising Out of PS. Case No.-86 Year-2018 Thana- AURAI District- Muzaffarpur

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Mausam Kumar, Son of Ramudeshya Chaudhary, Resident of Village-  
Mahmadpur, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      10-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Aurai P.S. Case No.86 of 2018  
registered for the offence punishable under Sections 395 and  
397 of the Indian Penal Code.

Informant has alleged that while he was going to  
Sitmarhi after dropping the relatives of the owner of the Scorpio  
vehicle in midway four miscreants on two bikes intercepted him  
and took away the Scorpio and also threw bomb upon him.

It has been submitted on behalf of the petitioner that  
F.I.R. is against unknown and the name of the petitioner has  
surfaced in this case on the basis of confessional statement made  
by co-accused Bittu Kumar Singh and except the said  
confessional statement, there is no any other incriminating  
material against the petitioner. It has further been submitted that



nothing has been recovered from the possession of the petitioner and he is in custody since 07.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., XIII, Muzaffarpur in connection with Aurai P.S. Case No.86 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

Sanjay/-



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