

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6524 of 2018

Arising Out of PS.Case No. -201 Year- 2017 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

=====

Avinash Kumar, S/o Satyendra Prasad, resident of Village- Chandraura,
P.S.- Bena, District- Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dharmendra Kumar, Advocate.

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 09.10.2017 in connection with Piprakothi P.S. Case No. 201 of 2017 for the offences alleged under Sections 399 and 402 of the Indian Penal Code and 25(1-b)A, 26 and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and even according to the F.I.R. no arms have been recovered from the petitioner. The Mobile phone and two SIM Cards recovered from the petitioner are own property. The petitioner denies any concern with the *Bolero* vehicle or with the persons sitting in the said vehicle. Similarly situated co-accused Raushan Kumar Das has been granted bail by this Court in



Cr. Misc. No. 3846 of 2018. The petitioner claims clean antecedents who subsequently has been implicated in Piprakothi P.S. Case No. 196 of 2017.

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, East Champaran, Motihari, in connection with Piprakothi P.S. Case No. 201 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)

Md. Ibrarul/-

U		T	
---	--	---	--

