

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6486 of 2018

Arising Out of PS.Case No. -131 Year- 2017 Thana -JAMALPUR District- MUNGER

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Aryan Kumar @ Deepak Kumar, Son of Devendra Mahton @ Mahendra Mahton, Resident of Village- Maheshpur, P.S.- Pirbazar, District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-02-2018 As prayed, learned counsel for the petitioner is permitted to make correction in the address of the petitioner by substituting the word 'Maheshpur' in place of 'Mehush' in course of the day.

2. The petitioner is in custody since 09.11.2017 in connection with Jamalpur P.S. Case No. 131 of 2017 for the offences alleged under Sections 457 and 380 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and only on the basis of extra judicial confessional statement of co-accused Chhotu Kumar who was arrested in Naya Ramnagar P.S. Case NO. 130 of 2017. The said Chhotu Kumar has named Abadhesh Kumar @ Tinku Kumar @ Awadhesh Kumar apart from the petitioner and the said Abadhesh



Kumar @ Tinku Kumar @ Awadhesh Kumar, who having similar criminal antecedents of the petitioner, has been granted bail by this Court in Cr. Misc. No. 844 of 2018. No recovery of any incriminating articles has been made from the possession of the petitioner.

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, Munger, in connection with Jamalpur P.S. Case No. 131 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/-

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