

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60153 of 2018

Arising Out of PS.Case No. -173 Year- 2017 Thana -CHARPOKHARI District- BHOJPUR

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Rahul Kumar S/o Sri Ganesh Prasad, R/o Vill.- Charpokhari, P.S.- Charpokhari, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-10-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

Petitioner seeks bail in Charpokhari P.S. Case No. 173/2017, registered for the offences punishable under Sections 392, 395 and 412 of the Indian Penal Code.

Informant alleged that while he along with Viju Pal had gone to distribute Samsung mobile to the shop-keepers and collect money from them, some miscreants came on motorcycle stopped them and started abusing them. One person came down from motorcycle and assaulted Viju Pal. They also took away money, A.T.M. card, pass-book, adhar card, pan card and mobiles from them.

It has been submitted that petitioner has falsely been



implicated in this case. His name has surfaced in the case on the confession of co-accused. No incriminating article has been recovered from him. Moreover, no test identification parade has been held till date.

Petitioner is in custody since 17.03.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IV, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 173/2017, subject to the 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (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)

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