

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27398 of 2018

Arising Out of PS.Case No. -57 Year- 2017 Thana -CHAURI District- BHOJPUR

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Nirmal Kumar @ Gaga, Son of Late Sarvanand Singh, Resident of Village
Bhupawali, P.S.- Udwant Nagar, District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-05-2018 Learned counsel for the petitioner submits that the

date of arrest has been wrongly stated as 05.12.2012 instead of

05.12.2017. Permission is thus granted to correct the same.

Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 05.12.2017 in

connection with Chauri P.S. Case No.57 of 2017 registered for

the offence under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that

though the petitioner is not named in the F.I.R., yet on the

basis of the confessional statement made before the police by

the Driver of the vehicle, the petitioner has been taken into

custody. It is further submitted that such confessional



statement made before the police has no evidentiary value and till date, the petitioner has not been put on T.I. Parade. It is further submitted that the co-accused Anil Ram has since been extended the privilege of bail in Cr.Misc. No.54372 of 2017, vide order dated 16.11.2017.

In view of the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XII, Bhojpur at Ara, in connection with Chauri P.S. Case No.57 of 2017, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.



(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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