

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56575 of 2018

Arising Out of PS.Case No. -267 Year- 2018 Thana -KHAJANCHI HAT District- PURNIA

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Ajit Kumar, S/o Dilip Swarnkar @ Dilip Prasad Swarnkar, R/o New
Prabhat Colony, P.S. K. Hat, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 457, 380 of the Indian Penal Code
registered in connection with K. Hat P.S. Case No. 267 of 2018.

3. It is submitted that the petitioner has been falsely
implicated merely on the extra judicial confessional statement of
co-accused Gurudeo Sah @ Kalua. The FIR is against unknown
persons and there is no recovery of any incriminating articles
from the petitioner. Similarly situated co-accused persons have
been granted bail by this Court in Cr. Misc. No. 49663 of 2018. The
petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and
circumstances, as such, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner 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. Purnea in connection with K. Hat P.S. Case No. 267/2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further 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 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.
- (iv) 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.

(Vikash Jain, J)

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