

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10898 of 2019

Arising Out of PS. Case No.-194 Year-2018 Thana- BAUSI District- Purnia

CHHOTU KUMAR @ BOUKA, Male, aged about 19 years, son of Vishwanath Poddar, Resident of village - Nunya Tola, Ward no. 3 Dagarua/Dagarua Hat P.S - Dagarua District- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Surendra Prasad Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-03-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 399 of the Indian Penal Code.

Informant has alleged that while he was coming on the motorcycle after withdrawing an amount of Rs. 4,30,000/- he found two persons following him on motorcycle and he became suspicious. He raised hulla then co-accused Dilip Kumar Mahto was apprehended and petitioner managed to flee away.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence on the basis of



suspicion. No incriminating article has been recovered from his possession. Similarly placed co-accused Dilip Kumar Mahto has been granted bail by co-ordinate bench of this court vide order dated 13.12.2018 passed in Cr. Misc. No. 74080 of 2018. Petitioner is in custody since 11.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Baisi P.S. Case No. 194 of 2018, (G.R. No. 2640 of 2018), subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.



(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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