

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11695 of 2019**

Arising Out of PS. Case No.-146 Year-2018 Thana- GOPALPUR District- Gopalganj

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Rahul Kumar @ Rahul Kumar Singh Son of Mahendra Singh Resident of
Village - Vikrampur, P.S.- Gopalpur, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-04-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 379, 411/34 of the Indian Penal Code.

Informant in his written complaint has alleged that he had parked his motorcycle in the campus of Hanuman Mandir and when he returned back, he found that his motorcycle was missing.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on



mere suspicion. Petitioner is not named in the FIR. Petitioner has not been put on TIP till date. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 25.02.2019 in Criminal Miscellaneous No. 10616 of 2019. 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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Gopalpur P.S. Case No. 146 of 2018**, with following 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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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