

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14688 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- BARUN District- Aurangabad

MANTOSH KUMAR Son of Keshaw Singh @ Kesho Singh Resident of
Village- Sinduriya Tole Bal Bigha, P.S.- Barun, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 380, 411/34 IPC registered in connection with Barun P.S. Case No. 14 of 2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation of entering the house of the informant along with co-accused Surendra Kumar and tried to commit theft of Rs.1,200/- and a cell phone at night. Co-accused Surendra Kumar was caught while it is alleged that the petitioner fled away. It is submitted that the petitioner has been implicated merely on suspicion and except which there is no other objective material to connect the petitioner with the alleged occurrence. No recovery of the stolen articles has been made from the possession of the petitioner, rather it was recovered from co-accused Surendra Kumar. The petitioner claims clean antecedents.

4. Be that as it may, 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



CJM, Aurangabad, in connection with Barun P.S. Case No. 14 of 2019, 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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