

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22866 of 2019**

Arising Out of PS. Case No.-530 Year-2018 Thana- MOTIHARI TOWN
District- East Champaran

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Chhotu @ Shaurabh Kumar, male, aged about 19 years, Son of Sudhir Kumar Resident of Chandmari, P.S.- Motihari Town, Dist.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sangeet Deokuliar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 354A, 356 and 379/34 of the Indian Penal Code registered in connection with Motihari Town P.S. Case No. 530 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely on the extra judicial confessional statement of co-accused Rajan, except which there is no other material to connect the petitioner with the alleged occurrence. Even otherwise the accusation of snatching of mobile phone is against co-accused Sunny from whose possession mobile phone has been recovered and not against the petitioner while the bike was driven by the apprehended accused Rajan. 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 530 of 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 cooperate 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) That 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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