

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23310 of 2019

Arising Out of PS. Case No.-173 Year-2015 Thana- KISHANGANJ District- Kishanganj

Ata @ Atabul @ Atabul Rahman(M) aged about 43 years Son of Farijuddin
Resident of Village - Koimari Fulhara, P.S.- Pothia, District - Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 379 of the Indian Penal Code registered in connection with Kishanganj P.S. Case No. 173 of 2015.

3. It is submitted that the petitioner has been falsely implicated on the accusation of theft of high tension conductor and spacer dampers. The petitioner has not been named in the FIR and his name has transpired merely on the basis of extra-judicial confessional statement except which there is no material to connect him for the alleged occurrence. No recovery of any stolen goods has been made from the possession of the petitioner, who 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, Kishanganj in connection with Kishanganj P.S. Case No. 173 of 2015, subject to the conditions as



laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) 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.

BT/-

(Vikash Jain, J)

U		T	
---	--	---	--

