

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27863 of 2019

Arising Out of PS. Case No.-276 Year-2015 Thana- SHASTRINAGAR District- Patna

Kumar Mayank, aged about 23 years (Male), Son of Sita Ram Yadav
Resident of Village - Dethua , P.S.- Ghanshyampur, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Prasad, Advocate
For the Opposite Parts : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 420 of the Indian Penal Code and Sections 65, 66(c) and 66(D of the Information Technology Act registered in connection with Shastrinagar P.S. Case No. 276 of 2015.

3. It is submitted that the petitioner has been falsely implicated as he is not named in the first information report. It is further submitted that his name has transpired merely on the basis of the extra-judicial confessional statement of co-accused Chandramani Kumar Nirala except which there is no material to connect the petitioner with the alleged occurrence. On the requisition made by Station House Officer it has been reported by Assistant Sub-Inspector of Police that the petitioner has been found on enquiry to be good character and there is no complaint against him. The petitioner is a student of K.T.G. Ayurvedic Medical College and Hospital, Bangalore and 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 Additional Chief Judicial Magistrate-IV, Patna in connection with Shastrinagar P.S. Case No. 276 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.

(Vikash Jain, J)

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