

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38220 of 2019**

Arising Out of PS. Case No.-732 Year-2018 Thana- KAHALGAON District-
Bhagalpur

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AMIT KUMAR, aged about 35 years, male, Son of Jalal Mandal Resident of
Village -Lailakh, P.S. Sabour, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 401, 413, 414, 420 of the Indian Penal
Code registered in connection with Kahalgaon (Ghoga) P.S. Case
No. 732 of 2018.

3. It is submitted that the petitioner has been falsely
implicated merely on the extra judicial confessional statement of
arrested co-accused Sonu Kumar, except which there is no
objective material to connect the petitioner with the alleged
occurrence. No recovery of any incriminating articles has been
made from the conscious possession of the petitioner or from his
house. 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, Bhagalpur in connection with Kahalgaon (Ghoga) P.S. Case No. 732 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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