

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42121 of 2019**

Arising Out of PS. Case No.-390 Year-2016 Thana- DALSINGHSARAI
District- Samastipur

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RAM KUMAR @ RAM KUMAR RAY aged about 45 years, male, Son of Late
Dipal Rai @ Deep Narayan Rai Resident of Village-Dehpura, P.S.-
Dalsingsarai, District-Samastipur.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rana Sanjay Kumar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 461, 379 of the Indian Penal Code and
later on section 414 of the Indian Penal Code was added
registered in connection with Dalsingsarai P.S. Case No. 390 of
2016.

3. It is submitted that the petitioner has been falsely
implicated merely on the extra judicial confessional statement of
co-accused Md. Jamil Akhtar @ Haidar and Md. Nazir, except
which there is no objective material to connect the petitioner
with the alleged occurrence. Recovery of the stolen goods has
been made from under a bridge on the basis of such confession
and not from the conscious 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 Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur in connection with Dalsingsarai P.S. Case No. 390 of 2016, 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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