

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74654 of 2018

Arising Out of PS. Case No.-265 Year-2017 Thana- GAYA KOTWALI District- Gaya

Mohan Kumar Son of Rambachan Gupta, Resident of Mohalla - Teli Tola,
Manpur, Police Station- Buniyadganj, District- Gaya.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Advocate
For the Opposite Party : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 31-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 356 and 379 of the Indian Penal Code registered in connection with Kotwali P.S. Case No. 265 of 2017.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the landlord of co-accused Aryan Kumar from whom recovery of stolen mobile was made. The petitioner is an accused in one prior case in which he is on bail.

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, Gaya in connection with Kotwali P.S. Case No. 265 of 2017, subject to the conditions as laid down under Section 438 (2) 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 bonds 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/Chandran

(Vikash Jain, J)

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