

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78007 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- CHANDI District- Nalanda

Abhishek Kumar, S/o Munna Pandit, R/o Vill.- Bhuski, P.S.- Khusrupur,
District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr.Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 29-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Chandi P.S. Case No. 202 of 2018 registered
for the offences punishable under Section 392 of the Indian
Penal Code.

Informant has alleged in his written complaint that
while he was returning from his tractor three unknown accused
on the point of pistol looted away his tractor and tied his arms
and legs fled away with said tractor thereafter informant untied
himself and informed the owner of the tractor and F.I.R. was
instituted.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been



falsely implicated in this case only on the basis of his self-confession and C.D.R. record in which all the three accused on the said date and time have been found to be present there. Petitioner is in custody since 07.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, Nalanda, in connection with Chandi P.S. Case No. 202 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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