

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41760 of 2019**

Arising Out of PS. Case No.-167 Year-2019 Thana- PIRBAHOR District-
Patna

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SURAJ KUMAR Son of Shambhunath Resident of Saidpur Khatal Gali, P.S.-
Kadamkuan, District and Town - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Rishikesh Chanchal, Advocate.
For the Opposite Party: Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 19-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 381 of the Indian Penal Code registered in connection with Pirbahore P.S. Case No. 167 of 2019.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion, except which there is no objective material to connect the petitioner with the alleged occurrence. Suspicion has been raised merely because on an earlier occasion the petitioner was an employee in the informant's shop and pilferage of stock for which he had made payment of Rs. 50,000/- towards the cost of medicines preferred. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard. He has not pointed out any objective material from the case diary against the petitioner.

5. 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, Patna in connection with Pirbahore P.S. Case No. 167 of 2019, 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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