

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52708 of 2019**

Arising Out of PS. Case No.-35 Year-2017 Thana- MANIYARI District-
Muzaffarpur

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BIPIN KUMAR, aged about 29 years, male, Son of Phuleshwar Rai
Resident of Village - Sultanpur Chhaurahi, P.S.- Patory, District-
Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Niranjan Parihar, Advocate.

For the Opposite Party: Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the third attempt on behalf of the petitioner, who is in custody since 28.04.2017 and has renewed his prayer for bail in connection with Maniyari P.S. Case No. 35 of 2017 for the offence alleged under Sections 392, 395, 412 of the Indian Penal Code having twice been rejected by orders dated 24.08.2018 and 10.04.2019 in Criminal Miscellaneous No. 34349 of 2018 and Criminal Miscellaneous No. 17964 of 2019, respectively.

3. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. but has been implicated on the basis of self confession in Sakara P.S. Case No. 39 of 2017 in which the petitioner has already been granted bail by this Court. There is no recovery of incriminating articles from the conscious possession of the petitioner. The petitioner has already suffered more than one and half years in custody who claims clean



antecedents.

4. Be that as it may and having regard to the period of custody already suffered more than one and half years, let the petitioner above named 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 Sri Mayan Kumar, learned Judicial Magistrate Ist Class, Muzaffarpur, in connection with Maniyari P.S. Case No. 35 of 2017, on the following 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 bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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