

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65653 of 2019**

Arising Out of PS. Case No.-397 Year-2018 Thana- HILSA District- Nalanda

RAHUL KUMAR @ THREE STAR Son of Anil Prasad Resident of Village -
Malkana Par Yogipur, P.S.- Hilsa, District- Nalanda ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party : Mr.Chandra Sen Pd Singh, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 25-11-2019 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under sections 379, 461 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the FIR is against unknown and there is no eye witness to the occurrence, the petitioner and one Srikant Kumar had been remanded in this case on the basis of their confession. Said co-accused Srikant Kumar has already been allowed bail by a bench of this Court vide order dated 17.8.2019, passed in Cr.Mis.No. 50184 of 2019. Save and except his confessional statement, nothing has come against the petitioner to connect him with the occurrence and there is no allegation that the petitioner ever tried to tamper the evidence.

In view of the aforesaid facts, let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II, Hilsa, Nalanda in Sessions Trial No. 286 of 2019, on the following conditions:-



(1) 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 the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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