

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63388 of 2019**

Arising Out of PS. Case No.-334 Year-2018 Thana- BAHADURGANJ
District- Kishanganj

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ABHAY @ ABHAY LAL HARIZAN Son of Dhiren Lal Harizan @ Dharendra
Kumar Das Resident of Village-Haldikhora, P.S-Kochadhaman, District-
Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Amal Kumar Sinha, Advocate.

For the Opposite Party: Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 379 of the Indian Penal Code but later on
Section 411 IPC was added registered in connection with
Bahadurganj P.S. Case No. 334 of 2018.

3. It is submitted that the petitioner has been falsely
implicated merely on the extra judicial confessional statement of
Laddu Kisku, except which there is no objective material to
connect the petitioner with the alleged occurrence. The stolen
motorcycle has been recovered from the conscious possession of
co-accused Laddu Kisku and Lukhi Ram Baski. The petitioner
claims clean antecedents.

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, Kishanganj in connection with Bahadurganj P.S. Case No. 334 of 2018, 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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