

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78549 of 2019

Arising Out of PS. Case No.-122 Year-2018 Thana- PALANWA District- East Champaran

Hariom Kumar, Son of Harishankar @ Harishankar Patel, Resident of Village
- Lalparsa, P.S.- Sugauli, Distt - East Champaran at Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 17.09.2019 on his remand in connection with Palanwa P.S. Case No.122 of 2018 registered for the offence under Section 394 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R., but subsequently, his name has been drawn into this case on the basis of his own confessional statement made before the police. Learned counsel for the petitioner further submits that originally the petitioner was taken into custody in connection with Sugauli P.S. Case No.235 of 2019 and in the said case he was made to confess in six other cases which have been mentioned in



paragraph 3 of the bail application. It is further submitted that neither the petitioner has been placed on T.I. Parade nor has any recovery been made.

Considering the aforementioned facts and circumstances of the case and that the confessional statement made before the police by himself cannot be used against him, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul, in connection with Palanwa P.S. Case No.122 of 2018, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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