

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4047 of 2019

Arising Out of PS. Case No.-326 Year-2017 Thana- MIRGANJ District-

Mohan Soni S/o- Late Triloki Soni Resident of Purab Mohalla, Mirganj, P.S.-
Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 30-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Mirganj P.S. Case No. 326 of 2017** registered for the offence punishable under Sections 414/34 of the Indian Penal Code.

Informant who is a police officer in his written report has stated that he received secret information that unknown miscreants with a stolen motorcycle are standing near the temple of sugar mill and planning to steal another motorcycle and on receiving said information he along with other police personnel reached the place of occurrence and on seeing the police party two persons tried to flee away but one of them was arrested and he disclosed the name of petitioner as the person who managed to escape.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Amit Kumar. Petitioner is in custody since 29.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate- XVI, Gopalganj**, in connection with **Mirganj P.S. Case No. 326 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

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

(S. Kumar, J)

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