

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3657 of 2020

Arising Out of PS. Case No.-171 Year-2019 Thana- GAMAHARIYA District- Madhepura

Roshan Kumar @ Hitlar @ Raushan Kumar @ Hitlar Kumar Son of Shashi Shekhar Yadav Resident of Village- Jogbani, P.S.- Gamharia, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Gamharia P.S. Case No. 171 of 2019**, registered for the offence punishable under Sections 379, 341, 323, 504, 506 and 411 of the Indian Penal Code.

It is submitted that petitioner has falsely been implicated in this case merely on suspicion. Nothing has been recovered from conscious possession of the petitioner. There is no eye-witness of the occurrence. No offence under Section 379 of the Indian Penal Code is made out against the petitioner.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the



court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 learned **Judicial Magistrate Ist Class, Madhepura** in connection with **Gamhariya P.S. Case No. 171 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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