

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15291 of 2020

Arising Out of PS. Case No.-481 Year-2018 Thana- DEHRI TOWN District- Rohtas

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KALLU KHAN @ FIROJ KHAN Son of Late Farid Khan Resident of
Village- Kaithi, P.S.- Sheosagar, District- Rohtas, at present at Makarain, P.S.-
Dalmiya Nagar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

8 01-12-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Dihri Town (Dalmiya Nagar) P.S. Case No. 481 of 2018 registered for the offence under sections 414, 400, 401 and 411 of the Indian Penal Code.

As per allegation in the FIR, on a raid being conducted, the accused persons attempted to escape but the petitioner was caught. It is stated that although no incriminating article was recovered from possession of the petitioner, however pursuant to the confessional statement of the petitioner, raid was conducted at a large number of places and stolen motorcycles were recovered.



It is submitted by learned counsel for the petitioner that admittedly no incriminating article has been recovered from possession of the petitioner. The petitioner has been falsely implicated in the case because of pending cases against him. It is submitted that the petitioner has remained in custody since 21.5.2018, he undertakes to cooperate in the trial and to abide by all the conditions that may be laid by this Court.

The application for bail is opposed by learned APP appearing for the State.

Having heard learned counsel for the parties and taking into consideration that no incriminating article has been recovered from the possession of the petitioner together with the petitioner being in custody since 21.5.2018, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with S.T. No. 313 of 2018 [arising out of Dihri Town (Dalmiya Nagar) P.S. Case No. 481 of 2018] on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge - XVIII, Rohtas at Sasaram.

However, in view of the fact that trial in the case has commenced, it is directed that the petitioner shall cooperate in



the trial and will remain physically present on each date. In case of his absence on any date for the reasons not to the satisfaction of the learned trial Court, the learned trial Court shall cancel the bail of the petitioner and shall take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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