

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60453 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- JAMHOR District- Aurangabad

Nitish Kumar Son of Vishwas Singh Resident of Village- Jagdishpur, P.S.-
Jamhor, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Nivedita Nirvikar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar 2 (APP 71)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in **Jamhore P.S.**
Case No. 85 of 2019, registered for the offence punishable
under Section 379 of the Indian Penal Code.

FIR has been lodged against unknown for theft of
Tractor.

It is submitted on behalf of petitioner that petitioner is
not named in the F.I.R. Name of petitioner has come in this case
on the basis of confessional statement of co-accused Prince
Kumar. Save and except confessional statement of co-accused,
there is nothing against this petitioner. The said Tractor has been
recovered from possession of co-accused Abhishek Kumar.

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 **Chief Judicial Magistrate, Aurangabad** in connection with **Jamhore P.S. Case No. 85 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, her 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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