

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86415 of 2019

Arising Out of PS. Case No.-818 Year-2019 Thana- KHAJANCHI HAT District- Purnia

KALU KUMAR @ RAJIV KUMAR Son of Bijay Kumar Resident of
Village-Khuskibagh Bangali Tola, PS-Sadar, District-Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Amresh Kumar Sinha, Advocate Ms. Preety Kunwar, Avocate
For the Opposite Party/s :		Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned Senior Counsel for the petitioner and
learned APP for the State.

The petitioner in this case is seeking regular bail in connection with K. Hat P.S. Case No. 818 of 2019 registered for the offence punishable under Section 414 of the Indian Penal Code.

Learned Senior Counsel for the petitioner submits that the petitioner has been implicated in this case showing recovery of truck and thereafter wrongly recorded his confession. It is further submitted that the petitioner has no concern with the seized truck and so that he could not produce any paper regarding ownership of the vehicle. It is further submitted that he is accused in one more case which is not of similar nature and he is on bail in that case. The petitioner is in custody since



8.11.2019.

Learned APP for the State has opposed the prayer of regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned Senior Counsel for the petitioner that the Police has wrongly alleged that the petitioner has made any confessional statement that he had looted the truck from Bokaro and further submission that the truck in question does not belong to the petitioner and hence, he could not have produced any document relating to ownership of the truck and further submission that the petitioner has no criminal antecedent of similar nature though he had one case under the provisions of the Bihar Prohibition and Excise Case and he is on bail in that case and further submission that in connection with this case the petitioner is in custody since 08.11.2019, let the petitioner above named be released on bail in connection with K. Hat P.S. Case No. 818 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with



the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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