

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49122 of 2014

Arising Out of PS.Case No. -220 Year- 2012 Thana -SALKHUA District- SAHARSA

Santosh Sharma Son of Late Kamleshwari Sharma Resident of Village -
Rasalpur, Police Station Salkhua District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

2 20-02-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Salakhua (Banama Itahari
O.P.) P.S. Case No. 220 of 2012 dated 05.10.2012 instituted under
Section 394 of the Indian Penal Code.

Learned counsel for the petitioner submits that he is
not named in the F.I.R. and only on the basis of confessional
statement of Bipin Sharma @ Bipin Kumar Sharma, he has been
implicated in the case though there is no recovery from him. It is
further submitted that the petitioner having clean antecedent is in
custody since 12.07.2014. Learned counsel submits that other two

co-accused Bipin Sharma @ Bipin Kumar Sharma and Lakhan Yadav have been granted bail on 29.08.2013 in Cr. Misc. No. 10775 of 2013 and 08.01.2015 in Cr. Misc. No. 51860 of 2014.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, Saharsa in Salakhua (Banama Itahari O.P.) P.S. Case No. 220 of 2012. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to do so on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

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