

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16038 of 2015

Arising Out of PS.Case No. -268 Year- 2000 Thana -BANKA District- BANKA

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1. Bambam Yadav Son of Dinesh, Resident of Mohalla / Village - Jagatpur,
P.S. - Sahoparbatta, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anwar Karim

For the Opposite Party/s : Mr. Damodar Pd. Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 10-09-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

Some unknown persons committed the alleged occurrence in which, one person died whereas; another sustained fire-arm injury. The name of petitioner came in course of investigation but he could not be arrested and subsequently, charge sheet was submitted against him showing absconder. There is nothing on the record to show that after submission of charge sheet, any process was ever served upon the petitioner. Moreover, petitioner is in jail custody since 13-09-2014 and having more or less similar allegation, some co-accused persons have granted privilege of bail sometime in the year, 2003. It is also evident from perusal of the impugned order that co-accused were put on trial

and they were acquitted of the charge. Moreover, the charge has already been framed against the petitioner.

Taking into consideration the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Banka (Barahat) P.S. Case No. 268 of 2000 corresponding to Sessions Trial No. 843 of 2014 to the satisfaction of Additional Sessions Judge-III, Banka subject to condition that one of the sureties must be close relative of the petitioner who shall swear an affidavit disclosing this fact as how he is related with the petitioner and furthermore, the petitioner shall appear in the court below on each and every date, in person for a period of 9 months and if, he fails to do so on two consecutive dates without any reasonable cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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