

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6444 of 2016

Arising Out of PS.Case No. -87 Year- 2005 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Kameshwar Ram @ Kameshwar, Son of Late Ramchandra Ram, Resident
of Village- Patkhauliya (Bakhari), P.S Patahi, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate.

For the Opposite Party : Mr. Nirmal Kumar Sinha(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Madhuban P.S. Case No. 87 of 2005 registered for the offences
punishable under Sections 396, 307, 436, 353(A) of the Indian
Penal Code, Section 27 of Arms Act, Section 3/4 of Explosive
Substance Act and Section 17 of the Criminal Law Amendment
Act.

It is submitted that after lapse of ten years, the
petitioner was remanded in this case on suspicion and after
applying third degree method his confessional statement was got
recorded and on that basis, he is suffering in custody since
26.08.2015, the petitioner has been made victim of police atrocity

and in five more cases, he has been implicated, there is no other legal and cogent material against him to show his complicity and as such he deserves sympathetic consideration. In this case, several co-accused have already been allowed bail by the different co-ordinate Benches of this Court and further Faujdar Das has also been allowed bail to which the learned A.P.P. opposes by pointing out the criminal antecedent of the petitioner.

In the facts and circumstances stated above, the petitioner above named is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran in connection with Madhuban P.S. Case No.87 of 2005, subject to conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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