

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37870 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -AMARPUR District- BANKA

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1. Kailash Das S/o late Chunchun Das Resident of Village- Chhoti Jankipur,
Police Station Amarpur, District Banka..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 20-09-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Amarpur P.S.
Case No. 130 of 2016 registered for the offences punishable under
Sections 341, 332, 307, 504, 353, 427/34 of the Indian Penal
Code.

Allegedly, the petitioner and other co-accused attacked on
the Police party and the petitioner tried to strangle a SAP
personnel by wrapping gamcha in his neck and the women started
pressing testicles of the Police personnel and further caused
threats to implicate them in rape case and SC/ST Atrocities
case.

Submission is of false implication and that the petitioner
is in custody since 03.06.2016, the petitioner by remaining in
custody has now sufficiently been penalized, chargesheet has

already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering the period of detention and further chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of 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, Banka in connection with Amarpur P.S. Case No. 130 of 2016, subject to the conditions that one of the bailors must be a 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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