

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36290 of 2016

Arising Out of PS.Case No. -195 Year- 2014 Thana -KOTWALI District- MUNGER

=====

1. Suraj Sah @ Jharkhawa Son of Ramotar Sah resident of village- Ghosi
Tola, Police Station- Kasim Bazar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh
For the Opposite Party/s : Mr. Sri Manish Kumar 2

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioner as well
as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 399, 402 of the Indian
Penal Code, Sections 25(1) (B) (a), 26, 35 of the Arms Act
and Section 4/5 of Explosive Substance Act.

Petitioner was neither caught on the spot nor
anything was recovered from his conscious possession and it
appears that his name surfaced in this case on the basis of
confessional statement of co-accused. Moreover, the persons,
who were caught on the spot, have already been granted

privilege of bail whereas petitioner is in jail custody since 05.12.2014.

The impugned order goes to show that case was pending at the stage of argument but a petition under Section 311 of the Cr.P.C. was filed on behalf of the prosecution and the aforesaid petition was allowed by the trial court.

Submission on behalf of the petitioner is that the petitioner has preferred criminal revision before this court against the above stated order of Additional Sessions Judge.

No doubt, petitioner carries criminal antecedent of near about 24 cases but in the present case, he has sufficiently been punished by remaining in jail custody for near about one and half years.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-V, Munger in connection with Sessions Trial No. 74 of 2015 arising out of Kotwali P.S. Case No. 195 of 2014, subject to condition that one of the sureties must be family member of the petitioner and holder of landed property and furthermore,

the aforesaid surety shall swear an affidavit before the court below disclosing this fact as to how he is related with the petitioner.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--

