

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37882 of 2016

Arising Out of PS.Case No. -120 Year- 2009 Thana -DEO District- AURANGABAD

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Dhukkar Bhuiyan, Son of Permeshwar Bhuiyan, Resident of village -
Sahaipur, P.S. Madanpur, District Aurangabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 26-09-2016 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with Deo P.S
Case No. 120 of 2009 registered for the offences punishable under
Sections 144, 427 of the Indian Penal Code, Section 3 Explosive
Substance Act, Section 3 P.D. Act and Section 17 C.L.A. Act.

Allegedly, 56 persons named in the F.I.R. including
the petitioner and 120 unknown damaged small bridges.

Submission is of false implication and that the
petitioner was not apprehended on the spot rather the name of the
petitioner and others came merely on suspicion, the petitioner has
been made accused in two more cases by the police and he is in
custody since 10.11.2015. Similarly situated accused Sarwan

Bhuiyan @ Sarwam Bhuiyan has been allowed bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 9340 of 2016 and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that co-accused has been allowed bail.

In the facts and circumstances stated above, petitioner 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 the learned Additional Sessions Judge- II, Aurangabad, arising out of Deo P.S. Case No. 120 of 2009 (S. Tr. No. 7D/ 2010 94/2016), subject to the 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.)

Rajiv/-

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