

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23736 of 2016

Arising Out of PS.Case No. -80 Year- 2006 Thana -SONO District- JAMUI

Binod Burnwal, Son of late Devsaran Burnwal, resident of Village-
Charkapathar (Beharbatar), P.S.- Sono, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party : Mr. Sri Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 31-05-2016 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking bail in
connection with Sono P.S. case no. 80/2006 registered for offence
under Sections 364, 34 of Indian Penal Code.

As per the prosecution story, the brother of the
informant was going for collecting money. He was ambushed and
kidnapped. Later on, the victim was recovered.

Learned counsel for the petitioner has produced
the judgment and order passed in connection with the present case
with respect to accused Rupan Manjhi. From the judgment, it
appears that the victim had refused to recognize the accused of
that case and has not taken the name of petitioner. In paragraph 8
of the bail application, the petitioner has stated that his name

transpired for the first time on 22.02.2016 and before that, his name was not appeared anywhere as accused connecting with this case.

Looking to the facts and circumstances of the case, let the petitioner, namely, Binod Burnwal be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of A.C.J.M. Jamui in connection with Sono PS case no. 80/06, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail (iii) the petitioner would cooperate the proceeding of the court below (iv) the Court below, before granting the bail, will verify the statement made by the petitioner in paragraph 8 of the bail application. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

Let the photocopy of the judgment and order passed in Sessions Trial No. 86/2009 be kept on record.

(Shivaji Pandey, J.)

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