

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8278 of 2016

Arising Out of PS.Case No. -206 Year- 2014 Thana -BOCHHA District- MUZAFFARPUR

1. Sanjay Patel @ Sanjay Sahni @ Vijay Mahto @ Ajad @ Assi Son of lal Bahadur Patel Resident of Bishunpur Basudeo P.s Runnisaidpur, District Sitamarhi. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 21-06-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Bochha P.S. Case No. 206 of 2014 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 435, 385, 387 and 307 of the Indian Penal Code, Section 27 of the Arms Act and Sections 16, 17 and 18 of the U.P. Act.

Allegedly, due to non-fulfillment of levy, 15-20 unknown miscreants burnt J.C.B. machine and shot the informant in his left leg and thereafter the miscreants went away after making slogan. It is submitted that the petitioner is not named, during investigation, the petitioner has been implicated and his confessional statement has got been recorded forcibly. Further confessional statement of other co-accused have also got been recorded which have got no evidentiary value in the eye of

law, the petitioner is in custody since 09.12.2015 but he has not been put on TIP, other co-accused Lal Babu Paswan and Ganesh Paswan have already been allowed bail by another co-ordinate Bench of this Court and, as such, the petitioner also deserves sympathetic consideration.

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

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 the like amount each to the satisfaction of the learned Sessions Judge, Muzaffarpur in connection with Bochha P.S. Case No. 206 of 2014 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)

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