

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9340 of 2016

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

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SARWAN BHUIYAN @ SARWAM BHUIYAN, Son of Sita Ram Bhuiya
Resident of Village Banua tole Pakkapar, Police Station - Dhibra, District
Aurangabad (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Jitendra Kumar Singh-I(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-04-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Deo
P.S. Case No. 120 of 2009, registered under Sections 144, 427 of
the Indian Penal Code, Section 3 of the Explosive Substance Act
and Section 3 of the Damage of Public Property Act and Section
17 of the C.L.A. Act.

The accusation is that 56 persons named in the F.I.R.
including the petitioner and 120 unknown damaged small
bridges.

Learned counsel appearing on behalf of the
petitioner submits that while the petitioner is named in the F.I.R.,
but petitioner was not apprehended on the spot rather the name

of the petitioner and others came merely on suspicion. Further submission is that petitioner has no criminal antecedent is in custody since 10.12.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II, Aurangabad in connection with Deo P.S. Case No. 120 of 2009. Out of two sureties, one surety must be the parents/close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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