

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56413 of 2015

Arising Out of PS.Case No. -234 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

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Satyendra Rai @ Satandra Rai @ Bhulan Rai, son of Mohan Rai, resident of
Naya Tola Kerma, P.S.- Kurhani, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Archana Sinha @ Archana Shahi

For the Opposite Party/s : Mr. Abhay Kumar Roy (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 19-01-2016 Heard Smt. Archana Sinha, learned counsel for the

petitioner and Sri Abhay Kumar Roy, learned Addl. Public

Prosecutor.

The petitioner, who is in custody since 30.06.2015 in
connection with Kurhani P.S. Case no.234/2015 registered for the
offence under Section 392 of the Indian Penal Code, has prayed
for grant of bail.

Learned counsel for the petitioner submits that F.I.R.
was lodged against unknown, however during investigation one
of the accused , namely, Dharmendra Ram was arrested and he
was identified by the informant also and before the police, he
made confession and in his confession, the name of the petitioner
and one another co-accused have been disclosed. Learned counsel
for the petitioner submits that co-accused Dharmendra Ram, who

was identified by the informant, has already been granted bail by a Bench of this Court vide order dated 03.12.2015 passed in Cr.Misc. No.54180 of 2015. She submits that the case of the petitioner stands on better footing.

Learned Addl. Public Prosecutor has opposed the prayer for bail of the petitioner, but he was not in a position to distinguish the case of the petitioner.

In view of the fact that co-accused, on whose confession the petitioner was made accused, has already been granted bail, there is no reason to detain the petitioner in custody. Let the petitioner, namely, Satyendra Rai @ Satandra Rai @ Bhulan Rai be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri S.K.Jha, learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Kurhani P.S. Case no.234/2015 with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) during trial on each and every date, the petitioner shall remain physically present. If continuously on two dates, without prior permission of the trial court, the petitioner fails to appear before the court below, his bail bond shall stand automatically cancelled.

NKS/-

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(Rakesh Kumar, J)