

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50883 of 2016**

Arising Out of PS.Case No. -155 Year- 2016 Thana -BARAULI District- GOPALGANJ

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Jai Nath Prasad, Son of Late Indrashan Prasad, Resident of Village- Bankat,  
P.S.- Barouli, District- Gopalganj.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      25-11-2016                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
27.07.2016 in connection with Barouli P.S. Case No. 155 of  
2016 registered for the offence punishable under Sections 401,  
413, 414, 411, 420, 467, 468 and 471 of the Indian Penal  
Code.

The prosecution case, as lodged by the police, is  
that during course of raid several persons were apprehended  
with motorcycles and cars. One of the apprehended co-  
accused, Dharmnath Prasad @ Dharma disclosed the name of  
the petitioner.

It has been submitted by the learned counsel for



the petitioner that although Dharmnath Prasad @ Dharma is younger brother of the petitioner, but the petitioner works in West Bengal in Alliance Jute Mills Company Ltd. and had come to his village for performing marriage of his daughter Kumari Sapna. He submits that no case under Sections 401, 413, 414, 411, 420, 467, 468 and 471 of the Indian Penal Code is made out against the petitioner. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

From the materials on record, it does not reveal that the petitioner's liberty on bail would adversely affect his trial, hence, in the interest of justice, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Barouli P.S. Case No. 155 of 2016.

However, this direction for bail is subject to condition that one of the bailors should be a close relative of

the petitioner and the other bailor would have sufficient home and hearth in the village and that petitioner would be present before the learned Court below as and when required.

With these observations and directions, this application stands allowed.

**(Nilu Agrawal, J.)**

Arjun/-

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