

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47861 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -MADANPURA District- AURANGABAD

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1. Surendra Bhuiyan S/o Sita Bhuiyan, R/o Village- Azad Bigha, P.S.-
Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 10-11-2016

Heard the Counsel for the petitioner and the APP for
the State.

Present application prays for grant of bail in
Madanpur P.S. Case No. 72 of 2016 registered under Sections
124(A), 307, 115 and 120B of the Indian Penal Code and section
17 of C.L.A. Act.

The S.H.O. lodged the case that an information was
passed to him that one Lal Babu Paswan has purchased gas
cylinder to be provided to the Naxalite. It was to be executed
through co-accused Umesh Bhuiyan, Deonandan Bhuiyan and the
petitioner. On such information, the petitioner was arrested who is
said to have made confessional statement whereafter the location
was searched and only mobiles were recovered. No bomb or land
mines were recovered.

It is submitted that the petitioner is in custody since 01.08.2016. Co-accused Lal Babu Paswan and Umesh Bhuiyan have been released on bail by this Court vide order dated 27.10.2016 passed in Cr. Misc. Nos. 36868 and 44405 of 2016.

Considering the facts and circumstances of the case, Considering the facts and circumstances of the case, the petitioner abovenamed is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Madanpur P.S. Case No. 72 of 2016 subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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