

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38790 of 2016

Arising Out of PS.Case No. -349 Year- 2015 Thana -KANTI District- MUZAFFARPUR

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Satyam Kumar @ Gulshan @ Gulshan Thakur, Son of Suresh Thakur,
Resident of village- Arara, Police Station- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar @ Sanidh, Adv.

Mr. Satya Prakash, Adv.

For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 07-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection
with Kanti (Panapur O.P.) P.S. Case No. 349 of 2015 (S.T. No. 60 of
2016) registered for offences under section 392 of the Indian Penal
Code.

The petitioner has earlier moved before this Court with
a prayer for bail in Cr. Misc. No.56506 of 2015 and this Court, vide
order dated 5.2.2016, had rejected the prayer for bail with a liberty to
the petitioner to renew his prayer for bail after one year of judicial
custody. Thereafter, another bail application, Cr. Misc. No. 19616 of
2016, was filed by the petitioner which was dismissed as withdrawn.

Learned counsel for the petitioner submits that there is
no criminal case against him. The petitioner is languishing in jail
custody since 8.8.2015 and thus has completed one year of judicial

custody.

Looking to the facts and circumstances of the case as also period of custody, let the petitioner, namely, Satyam Kumar alias Gulshan @ Gulshan Thakur, 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 10th Additional Sessions Judge, Muzaffarpur in connection with S.T. No. 60 of 2016, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Kanti (Panapur O.P.) police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been cancelled.

(Shivaji Pandey, J)

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