

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52022 of 2015

Arising Out of PS.Case No. -135 Year- 2013 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. BIRJU NUT @ BIRJU NATT son of Late Janki Khalifa, resident of
Village- Parsa, P.S.- Pakarideyal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Abhay Kumar No. 1 (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 07-04-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 395 and 397 of the I.P.C and section 3 of
of the Explosive Substance Act.

The petitioner is not named in the First Information
Report and his name transpires in the confessional statement of
co-accused Baldeo Nut and Suman Nut @ Suman Khalifa.

Submission is that the petitioner is in custody since
08.10.2013, he has not been put on the test identification parade,
nothing has been recovered from possession of the petitioner, co-
accused Baldeo Nut has already been allowed bail vide Cr. Misc.

No. 6870 of 2014 and the petitioner is suffering in custody without any fault, to which the learned A.P.P. opposes by submitting that the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, considering detention of the petitioner, now he 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 the 6th Additional Sessions Judge, Motihari, East Champaran in Sessions Trial No. 194 of 2015 arising out of Pakarideyal P.S. Case No. 135 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

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