

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25285 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -SHERGHATI District- GAYA

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Shankar Das, son of Ramjit Das, resident of Village-Nun Sagar, Ghirsindi,
Police Station-Barachatti and District-Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-06-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Sherghatti P.S.Case No. 79 of 2016 registered for the offences punishable under Section 395 of the Indian Penal Code.

Petitioner is not named in the FIR.

It has been submitted on behalf of the petitioner that except confessional statement of co-accused, in which name of the petitioner transpires, there the nothing against the petitioner and there is no recovery from the petitioner and no test identification parade was held. It has further been submitted that though petitioner has been made accused in two other cases but he is on bail in those cases and he is in custody for one year in this case. It has also been submitted that similarly situated accused persons



have been granted bail by this Court in Cr.Misc.No. 38756 of 2016 and Cr.Misc.No. 1985 of 2017, vide orders dated 15.11.2016 and 17.3.2017 respectively.

Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances and also considering the fact that co-accused persons having similar allegation have been granted bail, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Sherghatti, Gaya, in connection with Sherghatti P.S.Case No. 79 of 2016, subject to the conditions that :-

- (i) Both the bailors of the petitioner shall be local persons having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates



without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(iv) If active participation of the petitioner is found in future in such type of case, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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