

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17872 of 2017

Arising Out of PS.Case No. -15 Year- 2016 Thana -LUTUA District- GAYA

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Gauan Pasi Son of Munshi Pasi, resident of village - Hemjapur, P.S.
Amas, District - Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 18.11.2016 in connection with Lutua P.S. Case No. 15 of 2016 for the offences alleged under Sections 414, 120(B) of the Indian Penal Code and Section 25(1-b)a, 26/35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated merely on suspicion and except the extra judicial confessional statement of co-accused Deva Chaudhary who was arrested at the spot, there is no other material to connect the petitioner with the alleged occurrence. The petitioner was not arrested at the spot and no arms or any other incriminating materials have been recovered from his conscious possession.

4. Be that as it may, having regard to the entirety of



the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Dist- Gaya in connection with Lutua P.S. Case No. 15 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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