

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13749 of 2017

Arising Out of PS. Case No. -40 Year- 2016 Thana -SALKHUA District- SAHARSA

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Wakil Sharma Son of Late Darbari Sharma, resident of village Kushmi
Sharma Tola, O.P. Banma Itahari, P.S. Salkhua, District Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amarnath Jha, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-03-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioner, who is in custody since 04.04.2016, renewed his prayer for bail in connection with Salkhua (Banma Itahari O.P) P.S. Case No. 40 of 2016 having earlier been rejected by order dated 25.07.2016 in Criminal Miscellaneous No. 24852 of 2016.

3. It is submitted that the petitioner has been falsely implicated and in any event he has already suffered one year in custody. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case as well as period of custody since 04.04.2016 already suffered, 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-II, Saharsa in connection with Salkhua (Banma Itahari O.P) P.S. Case No. 40 of 2016 with 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)

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