

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17912 of 2017

Arising Out of PS.Case No. -152 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

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Md. Jainul Son of Md. Daud, Resident of Village- Rasalpur, Police Station- Naugachia in the District of Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 30.08.2016 in connection with Sessions Trial No. 146 of 2017 arising out of Naugachia P.S. Case No. 152 of 2016 for the offences alleged under Sections 302/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and even according to the F.I.R. the informant learnt from the crowd present there that the petitioner and others had made assault on the deceased, which is nothing more than hearsay. There is no material to connect the petitioner with the alleged occurrence. Similarly situated F.I.R. named accused Birju Paswan has been granted bail by this Court in Cr. Misc. No. 53891 of 2016. Petitioner claims clean antecedents.

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 District Judge 2nd, Naugachia, in connection with Sessions Trial No. 146 of 2017 arising out of Nauigachia P.S. Case No. 152 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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