

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22528 of 2017

Arising Out of PS.Case No. -893 Year- 2016 Thana -SAHARSA District- SAHARSA

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Bashuki Pandey Son of Naresh Pandey Resident of Village- Bherdhari,
Police Station Saharsa, District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-05-2017

The petitioner seeks regular bail in connection with
Saharsa P.S. Case No. 893 of 2016, registered for offences
punishable under section 394/34 of the Indian Penal Code.

The petitioner is not named in the FIR. The case is
under section 394 of the Indian Penal Code. During the course of
investigation, the name of the petitioner has transpired.

It has been submitted on behalf of the petitioner that
his name has transpired during the course of investigation on the
basis of confession of co-accused and except that there is nothing
against him. The petitioner has neither been put on TIP nor has
any recovery been made from his possession. He has remained in
custody for more than six months.

It has further been submitted that though the
petitioner has criminal antecedent of some cases but those cases
are not of similar nature. Further in this case, he has been made



accused due to political rivalry.

Heard learned APP also.

Having heard both sides, in view of the facts that that there is nothing against the petitioner except confessional statement and also considering the above facts of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No. 893 of 2016, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be a close relative having sufficient immovable property 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 before the court on the date fixed and on the event of failure on his part to appear before the court below without obtaining prior permission from the court concerned, the prosecution is free to move for cancellation of his bail.

Ravi/-

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(Vinod Kumar Sinha, J)

