

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10204 of 2017

Arising Out of PS.Case No. -716 Year- 2016 Thana -NAWADA District- NAWADA

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Somesh Satyam @ Nivi Kumar @ Nivi Kumr, Son of Sri Sanjay Kumar Sinha, Resident of Mohalla-Linepar, Mirjapur, Nawada, Police Station-Nawada Town in the District of Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar
For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-03-2017 Heard the parties.

This application has been filed in connection with Nawada Town P.S.Case No.716 of 2016 for the offence under Sections 307 and 34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that he is not named in the F.I.R. rather in the confessional statement of the other co-accused, his name has transpired and also the fact that a Pistol was handed over to the petitioner but the same has not been recovered from the house of the petitioner. The petitioner is in custody for about 2 ½ months.

Heard learned A.P.P. also, who could not controvert the aforesaid submissions..

Having heard both sides and in view of the submission of



the learned counsel for the petitioner, let the petitioner, above named, be enlarged 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 C.J.M., Nawada in connection with Nawada Town P.S.Case No.716 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person 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 co-operate 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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