

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8953 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -ISHOPUR District- BHAGALPUR

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Sanni Das @ Sunil Das, Son of Shri Jiwan Das, resident of village -
Gopalpur (Tintanga), Police Station - Gopalpur, District - Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Syed Masleh-Uddin Ashraf, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 16-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 16.09.2016 in connection with Sessions Trial No. 10 of 2017 arising out of Ishipur Barahat P.S. Case No. 81 of 2016 for the offences alleged under Sections 379/511 of the Indian Penal Code and Section 53(b) of the Bihar Excise Amendment Act.

3. It is submitted that the petitioner has been falsely implicated as there is no medical report to establish that he was in an inebriated condition. The prosecution story is also belied from the fact that the seizure list prepared at 16:15 hours on 15.09.2016 carries the F.I.R. number though the F.I.R. itself had been instituted later the same day at 19.00 hours. Petitioner claims clean antecedents.



4. 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 3rd Additional Sessions Judge, Bhagalpur, in connection with Sessions Trial No. 10 of 2017 arising out of Ishipur Barahat P.S. Case No. 81 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/psc

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