

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23765 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

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Shiv Murat Rajbhar @ Simrat Rajbhar son of late Gati Rai, R/O village-
Dharhara, P.S. Chainpur, District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with S.Tr.
No.103 of 2017 arising out of Shivsagar P.S.Case No.167 of 2016,
G.R.No.1410 of 2016, registered for offences punishable under
Sections 341, 323, 342, 365 and 506 of the Indian Penal Code and
Section 13, 17 and 20 of U.A.P.A. Act.

The petitioner is not named in the F.I.R. and later on his
name transpired during the course of investigation of this case.

It is submitted on behalf of the petitioner that except
confessional statement, there is nothing against the petitioner and
the main allegation is that one co-accused Rakesh Mishra. The
petitioner in custody for about six months. The other co-accused
persons having similar allegation have already been granted bail
by this Court, vide order dated 6.4.2017 passed in Cr. Misc.
No.8192 of 2017, dated 7.3.2017 passed in Cr. Misc. No.7065 of
2017 and dated 22.3.2017 passed in Cr. Misc. No.7972 of 2017.



Heard learned A.P.P. also, who has submitted that the petitioner is accused in one more case also.

Having heard both sides and in view of the fact that the other co-accused persons having similar allegation, have already been granted bail by this Court and the petitioner is in custody for about six months, as such, 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 Addl. District & Sessions Judge-7th, Rohtas at Sasaram in connection with S.Tr. No.103 of 2017 arising out of Shivsagar P.S. Case No.167 of 2016, G.R.No.1410 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.
- (iv) In future, if his active participation is found in any similar type of case, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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