

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22743 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -NABINAGAR District- AURANGABAD

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1. Nandan Kumar Mehta Son of Dasarath Mehta resident of Village- Saya Parsa, P.S. Kutumba District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-07-2017 The petitioner seeks regular bail in connection with Navinagar P.S. Case No. 53 of 2016, registered for offences punishable under Section 394/302 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioner that petitioner's name has surfaced in this case only on the basis of confessional statement of co-accused and except that there is nothing against him. It has further been submitted that no recovery has been made from the possession of the petitioner and uptil now no Test Identification Parade has been conducted and he has been in judicial custody since 23.12.2016 and so far other criminal antecedents are concerned, he is on bail in all those cases.

Heard learned A.P.P. also.



Having heard both sides, in view of the fact that petitioner's name transpired on this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner and also petitioner has remained in judicial custody for more than seven months, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Aurangabad, in connection with Navinagar P.S. Case No. 53 of 2016, subject to the 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 cooperate 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.

It is also made clear that if the petitioner again found
involved in any of such offence, in future, his bail bonds will be
cancelled.

(Vinod Kumar Sinha, J)

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