

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44690 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

=====

1. Dhananjay Seth Son of Munna Seth, R/o Village- Bhabua Ward No. 21,
P.S.- Bhabua, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 20-09-2017

Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Bhagwanpur P.S. Case No. 13/2017 registered for the offence punishable under Sections 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the F.I.R. is against unknown, name of this petitioner has transpired on the confessional statement of co-accused Sushant Pandey @ Sonu Pandey. He further submits that nothing has been recovered from the possession of this petitioner and no T.I.P. has been conducted so far, even though the petitioner has been in custody since remand in



this case from 08.05.2017. Learned counsel further submits that the co-accused Kamal Kant Tiwary has been granted regular bail vide Cr. Misc. No. 41494/2017.

Learned Additional Public Prosecutor for the State opposes the prayer for bail of the petitioner.

In the facts and circumstances as stated above and considering that the co-accused has already been granted bail, there is no recovery from the possession of this petitioner and up till now no T.I.P. has been conducted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabhua, in connection with Bhagwanpur P.S. Case No. 13 of 2017, subject to the terms and conditions on which the co-accused has been granted bail. The terms and conditions are as under: -

“(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) Petitioner shall mark his attendance



in concerned police station in first week of each month till conclusion of trial.

(iv) 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.”

Rajeev/-

(Rajeev Ranjan Prasad, J.)

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