

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33343 of 2017

Arising Out of PS.Case No. -704 Year- 2015 Thana -BANKA District- BANKA

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1. Rajesh Kumar, son of Govind Sah, resident of Village- Daspur, P.S.-
Sajour, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-07-2017 Heard the parties.

This application is for grant of regular bail in connection with S.T.No.73 of 2017, corresponding to Banka (Panjawara) P.S.Case No.704 of 2015, for the offences punishable under Section 394of the Indian Penal Code.

The petitioner is not named in the F.I.R. and he has been made accused in this case on the basis of confession of the co-accused.

Submission of the learned counsel for the petitioner is that nothing has been recovered from the possession of the petitioner and except confession, there is nothing against him. It has also been submitted that another co-accused from whom there is recovery, has already been granted bail by this Court vide order



dated 3.5.2017 passed in Cr. Misc. No.13917 of 2017. The petitioner is in custody since 8.12.2016.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II, Banka in connection with S.T.No.73 of 2017, corresponding to Banka (Panjawara) P.S.Case No.704 of 2015.

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) As the trial is going on, the petitioner shall appear on each and every date as and when required by the court and in the event of failure on his part to appear before the court below his bail bond shall be cancelled by the learned court below.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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