

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34450 of 2017

Arising Out of PS.Case No. -265 Year- 2008 Thana -PHULWARI District- PATNA

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Sakti @ Chand, S/o Md. Alamgir, R/v- Paharpur, P.S.- Gardanibagh,
Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 13-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
01.11.2016 in connection with Phulwarisharif P.S. Case No. 265
of 2008 for offences punishable under Sections 452, 302, 380 of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while her father and mother was sleeping in the room, she
heard some sound and after sometime she went and saw both
father and mother died with blood oozing and all the jewelry and
other articles stolen.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the F.I.R. and bears no criminal antecedent. He submits that his name surfaced on the confessional statement of one Md. Sahid who has already been granted the privilege of bail by the learned court below itself. He submits that other co-accused has also been granted the privilege of bail by this Court. He further submits that there is no direct or indirect involvement of the petitioner and he has been made accused only on the basis of suspicion.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Patna in connection with Phulwarisharif P.S. Case No.265 of 2008, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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