

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51323 of 2017

Arising Out of PS. Case No. -37 Year- 2017 Thana -DHORAIYA District- BANKA

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Binod Mahaldar S/o Mahesh Mahaldar, R/o Village- Ogari, P.S.-
Kahalgau, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 12.04.2017 in connection with Dhoraiya P.S. Case No. 37 of 2017 for the alleged offences under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and only on the extra judicial confessional statement of co-accused Bablu Mandal, who has already been granted bail by this Court in Cr. Misc. No. 27017 of 2017. No recovery of any incriminating articles has been made from the possession of the petitioner. The petitioner's case stands on a better footing as no T.I. Parade has been conducted for his identification, whereas the said Bablu Mandal had been identified in the T.I. Parade. It is submitted that charge sheet has been submitted and hence there is no chance of tampering with the evidence.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be



released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.IV, Banka in connection with Dhoraiya P.S. Case No. 37 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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