

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3204 of 2017

Arising Out of PS.Case No. -55 Year- 2015 Thana -WARISNAGAR District- SAMASTIPUR

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Sita Ram Rai S/o Yugeshwar Rai resident of Village - Lohagir, P.S. -
Ujiarpur, District - Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Sachin Kumar, Advocate

For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 10-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 29.06.2016 in connection with Warisnagar P.S. Case No. 55 of 2015 (S.T. No. 602 of 2016) for the alleged offences under Sections 302, 201 and 34 of the of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the petitioner is not named in the FIR. It is submitted that the petitioner's case stand on better footing than the co-accused Amarjeet Yadav, the latter has since been granted bail by this Court in Cr. Misc. No. 22926 of 2015. Another co-accused Prem Kumar, who is similarly situated has also been granted bail in Cr. Misc. No. 29626 of 2016, while Madhu Kant Yadav has been granted anticipatory bail in Cr. Misc. No. 27497 of 2016.



4. 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 Sessions Judge, Samastipur in connection with Warisnagar P.S. Case No. 55 of 2015 (S.T. No. 602 of 2016) 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 cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) 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)

Chandran/BT

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