

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11672 of 2017

Arising Out of PS.Case No. -212 Year- 2015 Thana -GOPALGANJ TOWN District- GOPALGANJ

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1. Sukhari Bhagat @ Sukhari Sah S/o Late Ram Narayan Bhagat, Resident of Village-Nari Chakrawa, P.S.-Bhorey, District-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-04-2017 The petitioner is in custody since 12.07.2016 in connection with Gopalganj Town P.S. Case No. 212 of 2015, registered for offences punishable under Sections 387, 307, 120(B) of Indian Penal Code and Section 3/4 of Explosive Substance Act.

Allegation against the petitioner is that on his direction co-accused assaulted the informant and his staffs by throwing bomb.

It has been submitted on behalf of the petitioner that this is a case of mistaken identity as the co-accused in his statement has told that on the instruction of one Sukhari Sah of Bhorey, he has committed such an offence, whereas the name of the petitioner is Sukhari Bhagat and he also not belongs to the village as stated by the co-accused person. Petitioner has been in custody since 17.07.2016

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, nature of allegation and period of custody, let petitioner be released on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II, Gopalganj, in connection with Gopalganj Town P.S. Case No. 212 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) 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.

(Vinod Kumar Sinha, J)

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