

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17856 of 2017

Arising Out of PS.Case No. -354 Year- 2016 Thana -SAHARSA District- SAHARSA

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Sanjeet Kumar Sah Son of Nawab Sah Resident of Village Mithai, PS and District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Suman Kumar Jha, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 19.02.2017 in connection with Saharsa Sadar P.S. Case No. 354 of 2016 for the alleged offences under Sections 302, 201/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and there is inordinate delay in filing the complaint (later converted into FIR) on 24.04.2016 for the alleged occurrence of 29.01.2016. The petitioner has been implicated merely because he happens to be the paramour of the wife of the deceased. After due investigation by the police four other accused persons were sent up for trial who have all since been granted bail. Similarly situated co-accused Pappu Kumar @ Pappu Kumar Yadav has been granted anticipatory bail by this Court in Cr. Misc. No.37538 of 2016 and Sanjay Kumar has been granted bail by this Court in Cr. Misc. No.36464 of 2016.

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 Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 354 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.

Chandran/BT

(Vikash Jain, J)

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