

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35943 of 2017

Arising Out of P.S.Case No. -53 Year- 2016 Thana -NABINAGAR District- AURANGABAD

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Vijay Kumar Singh @ Kasab Son of Jiwan Singh, R/o Village- Admapur,
P.S.- Sasaram (M), District- Rohatash at Sarsaram.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-08-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Navinagar P.S.Case No. 53 of 2016 registered for the offences punishable under Sections 394, 302 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioner that the petitioner's name has surfaced in this case only on the basis of confessional statement of co-accused and except that there is nothing against him. It has further been submitted that no recovery has been made from the possession of the petitioner and no Test Identification Parade was held and he is in custody since 23.9.2016 and so far criminal antecedents are concerned, he is on bail in all those cases.

Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be



released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Aurangabad, in connection with Navinagar P.S.Case No. 53 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.
- (iv) If active involvement of the petitioner in such type of cases is found in future, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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