

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54707 of 2016

Arising Out of PS.Case No. -84 Year- 2005 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Vishwanath Ram, Son of Dhorha Ram, resident of village - Badka Gaw,
P.S. Pakarideyal, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-02-2017 Heard the parties.

This application has been filed in connection with Patahi
P.S.Case No.84 of 2005 for the offence under Sections 147, 148,
149, 307, 324, 353 and 412 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is
nothing against the petitioner except the confessional statement of
the co-accused as well as no recovery and no TIP. He is in custody
for about nine months. It has also been submitted that the
petitioner is in accused in five other cases also but he is on bail in
all those five cases.

Heard learned A.P.P. also, who has opposed the prayer for
bail.



Having heard both sides. No doubt the petitioner is accused in five other cases but in the present case, except the confessional statement of the co-accused, there is nothing against the petitioner, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Patahi P.S.Case 84 of 2005.

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 co-operate 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.
- (iv) If any such case is filed against the petitioner, the prosecution is free to move for cancellation of the bail bond of the petitioner.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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