

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41951 of 2017

Arising Out of PS.Case No. -53 Year- 2005 Thana -JOKIHAT District- ARRARIA

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1. Lakhi Ram Hembaram Son of Mohan Lal Hembraram Resident of
Village- Laluwa Bari, P.S. Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
08.06.2017 in connection with Jokihat P.S. Case No. 53 of 2005
for offence punishable under Section 395 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while in the night he was sleeping, 8-9 miscreants entered into
the house and have looted cash, utensils, and ornaments and
continued a successive dacoity in the house of his relatives and his
neighbors and took away ornaments, clothes and cash from their
houses also and fled away. The informant and other villagers have



identified some of the accused persons including the petitioner.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and was not aware of the case pending against him. He is a daily wages laborer and gone out of his village to earn his livelihood and as soon as he came to know about the case, he surrender voluntarily. He submits that charge-sheet has already been submitted and the petitioner undertakes to co-operate in trial.

However, learned APP for the State opposes the prayer for bail stating therein that charge-sheet had been submitted in the year 2007 against the petitioner but the petitioner was an absconder and has surrendered only on 08.06.2017.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria, in connection with Jokihat P.S. Case No.53/05, subject to the condition that both bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner and that



petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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