

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46663 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -SONBERSA District- SAHARSA

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1. Umesh Mukhiya S/o Late Arjun Mukhiya A resident of Village- Barahi
& Ashnahi Tola, P.S. - Sonbarsa Raj o.p. Kashnagar, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 20-01-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 06.04.2016 in connection Sonbarsa Raj (Kashnagar O.P.) P.S. Case No. 18 of 2016, registered for offences punishable under Sections 363, 364/34 and 303 of the Indian Penal Code and later on Section 302/201 of the IPC has been added.

It has been submitted on behalf of the petitioner that though the petitioner is named in the F.I.R. and there is allegation that the petitioner and one co-accused have taken the deceased with themselves but there is no corroborative evidence so as to suggest the involvement of the present petitioner. It has further been submitted that the other co-accused of this case, namely, Bino Mukhiya has already been granted the privilege of regular bail by this Court vide order, dated 17.10.2016, passed in Criminal



Miscellaneous No. 41617 of 2016 and petitioner has been languishing in judicial custody since 06.04.2016.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that other co-accused of this case, having similar allegations, have already been granted bail, let the petitioner above named, 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 Judicial , Saharsa in connection with Sonbarsa Raj (Kashnagar O.P.) P.S. Case No. 18 of 2016 with the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial

(iii) 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 reasons, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vinod Kumar Sinha, J)

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