

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2940 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -PIRBAHOR District- PATNA

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Jitendra Kumar, son of Hari Prasad, R/o Nakhas Chowk, Konhara Road,
P.S. Nagar Distt- Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay,
Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Pirbahore P.S.Case No. 98 of 2016 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and 27
of the Arms Act.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR but later on his name has
transpired on the basis of confessional statement of co-accused
and, as such, there is nothing against the petitioner and he is in
custody for about nine months. It has further been submitted that
other co-accused having similar allegation have been granted bail
by this Court in Cr.Misc.No. 37848 of 2016 and in Cr.Misc.No.
43747 of 2016 by orders dated 18.11.2016 and 5.12.2016
respectively.

Heard learned APP also.

Having heard both sides and considering the fact that



there is nothing against the petitioner and on the basis of confessional statement of co-accused his name has transpired and similarly situated co-accused having been granted bail, let the petitioner, above named, 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 Chief Judicial Magistrate, Patna, in connection with Pirbahore P.S. Case No.98 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 the cancellation of his bail.

(Vinod Kumar Sinha, J)

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