

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12796 of 2017

Arising Out of PS.Case No. -651 Year- 2016 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Niraj Kumar S/o Brajesh Rai, Resident of vill. - Babu Tola, Gurwaliya, P.S.
Manuapool, District - West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-04-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Bettiah Town P.S.Case No. 651 of 2016 registered for the offences punishable under Sections 394, 307 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 and only on the basis of his confessional statement he has been made accused in this case and no incriminating article has been recovered from his possession. It has further been submitted that co-accused has been granted bail by this Court in Cr.Misc.No. 9936 of 2017, vide order dated 3.4.2017 and he is in custody since 2.12.2016 and charge-sheet has already been submitted in this case.

Heard learned APP also, who has referred some paragraphs of the case diary and submitted that the witnesses have



not named this petitioner about his involvement.

Having heard both sides and considering the facts and circumstances, as stated above, 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, West Champaran, Bettiah, in connection with Bettiah Town P.S.Case No. 651 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.

(Vinod Kumar Sinha, J)

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