

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23521 of 2017

Arising Out of PS.Case No. -84 Year- 2016 Thana -ISHOPUR District- BHAGALPUR

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Md. Islam, son of Md. Muslim, resident of Village- Sukhari, P.S. Meharna
District- Godda (Jharkhand).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Sessions Trial No. 248 of 2017, arising out of Ishipur-Barahat P.S.Case No. 84 of 2016 registered for the offences punishable under Sections 302/34 and 120B of the Indian Penal Code.

Petitioner is not named in the FIR and later on his name transpires during course of investigation.

It has been submitted on behalf of the petitioner that except confessional statement there is nothing against the petitioner and he is in custody since 10.10.2016. It has also been submitted that co-accused, namely, Sheru Khatun, whose name has surfaced in the confessional statement, has been granted bail by this Court in Cr.Misc.No. 12413 of 2017, vide order dated 28.3.2017.

Heard learned APP also.

Having heard both sides and considering the aforesaid



facts and circumstances, let the petitioner, named above, 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 7th Additional Sessions Judge, Bhagalpur, in connection with Sessions Trial No. 248 of 2017, arising out of Ishipur-Barahat P.S.Case No. 84 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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