

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41468 of 2017

Arising Out of PS.Case No. -308 Year- 2011 Thana -SARAIYA District- MUZAFFARPUR

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Krit Dayal Rai S/o Laxman Rai Resident of village- Chhitari, P.S.- Saraiya,
District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 29.05.2017 in connection with Sqaraiya P.S. Case No. 308 of 2011 for the offence registered under Sections 302, 394 and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though he was named in the first information report, the petitioner's name again surfaced in the confessional statement made before the police by co-accused Kishan Rai @ Munda, which has no evidentiary value. It is further submitted that the said Kishan Rai @ Munda has been granted bail by this Court vide order dated 24.07.2012 passed in Cr. Misc. No. 27687 of 2012.



Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, West Muzuffarpur in connection with Saraiya P.S. Case No. 308 of 2011, subject to the following conditions :-

- (1) That one of the bailors shall be a close relative of the petitioner.
- (2) That the petitioner shall not indulge in any similar offences till conclusion of the trial.
- (3) 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 reason, his bail bond shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already



concluded, and make himself
available as and when so required
and in case of failure, the State shall
be at liberty to move for cancellation
of bail.

Jagdish/-

(Anjana Mishra, J)

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