

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5483 of 2017

Arising Out of PS.Case No. -221 Year- 2016 Thana -KATEYA District- GOPALGANJ

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1. Awdhesh Baitha @ Awadhesh Baitha, son of Manulal Baitha, Resident of Village- Sohanariya, P.S.- Kateya, District:- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-04-2017 The petitioner is in custody since 08.06.2016 in connection with Kateya P.S. Case No. 221 of 2016, registered for offences punishable under Sections 302/ 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though there is allegation against petitioner under Section 302 Indian Penal Code, however, petitioner has not been named in the F.I.R. and informant is not an eye-witness of the alleged occurrence and only on the basis of suspicion, he has named this petitioner. Moreover, other co-accused of this case has already been granted bail by this Court vide order 02.03.2017, passed in Criminal Miscellaneous No. 2565 of 2017 and petitioner has been



in judicial custody since 08.06.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also other co-accused has already been granted bail by this court and further except confessional statement, there is nothing against the petitioner, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Kateya P.S. Case No. 221 of 2016, with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property 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 reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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