

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2853 of 2017**

Arising Out of PS.Case No. -29 Year- 2016 Thana -KASMA District- AURANGABAD

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1. Bira Das @ Bira Ravidas S/o Munna Das R/o Village - Kamalachak, P.S.  
- Kasma, District - Aurangabad (Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Narendra Kumar,  
Mr. Tej Narayan Singh  
For the Opposite Party/s : Mr. Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      10-02-2017      Heard the parties.

This application has been filed in connection with Kasma P.S.Case No.29 of 2016 for the offence under Sections 147, 148,149, 341, 386, 387, 435, 427, 353, 504 and 506 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is nothing against the petitioner except the confessional statement of the co-accused. He is in custody for about six months and the other co-accused, having similar allegation, have already been granted bail by this Hon'ble Court, vide order dated 6.10.2016 passed in Cr. Misc. No.44513 of 2016 and further the charge-sheet has already been submitted in this case.

Heard learned A.P.P. also.

Having heard both sides. No doubt he is accused in five other cases but in the present case, there is nothing against the



petitioner and his name came only on the basis of confessional statement of the other co-accused and even there is no recovery, no T.I.P. and the charge-sheet has already been submitted. Considering the aforesaid facts, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri S.K. Mishra, A.C.J.M. VI at Aurangabad in connection with Kasma P.S. Case No.29 of 2016 dated 22.07.2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a government servant and the other bailor should also have sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner shall co-operate 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.

The learned court below is directed to comply the above order strictly.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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