

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7660 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. BIRENDRA RAJBANSHI @ PANDIT Son of Prasadi Rajbanshi,
Resident of Village- Thakur Asthan Rajgir, P.S.- Rajgir, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-03-2017 The petitioner is in custody since 25.10.2016 in connection with Rajgir P.S. Case No. 148 of 2016, registered for offences punishable under Sections 379 and 411 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner's name has surfaced in this case only on the basis of confessional statement of co-accused and except that there is nothing against this petitioner and he has been in judicial custody since 25.10.2016.

Learned counsel for the State also could not controvert the above fact.

Having heard both sides, in view of the fact that save and except the confessional statement of co-accused made before the police, there is nothing against the petitioner and the petitioner has no criminal antecedent and has been in judicial custody since



25.10.2016, 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 ACJM-IV, Biharsharif, Nalanda in connection with Rajgir P.S. Case No. 148 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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