

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19909 of 2017

Arising Out of PS.Case No. -495 Year- 2016 Thana -DANAPUR District- PATNA

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Sujeet Kumar, Son of Sri Jagdeo Rai, Resident of Pethiya Bazar, Police
Station- Danapur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Priyedarshi, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 20-06-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody since
31.12.2016 in connection with Danapur P.S. Case No. 495/16 for
offences punishable under Sections 302, 120-B of the Indian Penal
Code and under Section 25(1-B) A, 26, 35 and 27 of the Arms
Act.

The prosecution case, as lodged by the informant,
is that on account of some rivalry son of the informant was done to
death.

It has been submitted by the learned counsel for
the petitioner that he is innocent, not named in the First
Information Report, allegation is upon certain other accused
persons and charge-sheet has already been submitted, hence, there



is no chance of tampering with the prosecution evidence. It is submitted that one of the co-accused, named in the First Information Report, has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 12307 of 2017 on 24.04.2017 and similarly situated accused person has also been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 18971 of 2017 on 03.05.2017. It is further submitted that there is no specific allegation against the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Danapur in connection with Danapur P.S. Case No. 495/16, subject to the 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 reason, the prosecution is free to move for cancellation of his bail.

(Nilu Agrawal, J)

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