

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31934 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -PATORI District- SAMASTIPUR

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Chandan Jha Son of Sanjay Jha, Resident of Village- V.I.P. Colony
Dalasingsarai, P.S.- Dalasingsarai, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 19-08-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 10.03.2017 in connection with Patory (Mohanpur O.P.) P.S. Case No. 94 of 2017 for the alleged offences under Sections 364/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and the FIR is against unknown persons. Except the extra judicial confessional statement of co-accused Pampam Choudhary there is no other material to connect the petitioner with the alleged occurrence. The petitioner claims clean antecedents.

4. A perusal of the case diary does not also disclose any specific material connecting the petitioner with the offence nor any test identification parade appears to have been conducted for his identification.

5. Be that as it may, having regard to the entirety of the 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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Patory (Mohanpur O.P.) P.S. Case No. 94 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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.

(iv) 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.

(Vikash Jain, J)

Chandran/BT

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