

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35550 of 2017

Arising Out of PS.Case No. -52 Year- 2011 Thana -TANDWA District- AURANGABAD

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Shambhu Bhuiyan Son of Jeetu Bhuiyan, R/o Village- Lahang Karma,
P.S.- Tandwa, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 19-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 13.05.2016 in connection with Sessions Trial No. 157B of 2014/ 182 of 2016 arising out of Tandwa P.S. Case No. 52 of 2011 for the offences alleged under Sections 143, 149, 307, 427 of the Indian Penal Code, 3 and 4 of the Explosive Substance Act and 17 of the CLA Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and the petitioner is not named in the F.I.R. His name has surfaced on the confessional statement of co-accused Sunil Yadav who has already been granted bail by the learned District & Sessions Judge, Aurangabad. Another similarly situated co-accused Sanjay Yadav has also been granted bail by this Court in Cr. Misc. No. 8439 of 2017.

4. 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 Additional Sessions Judge-VI, Aurangabad, in connection with Sessions Trial No. 157B of 2014/182 of 2016 arising out of Tandwa P.S. Case No. 52 of 2011, 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 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.

(iv) The petitioner shall cooperate 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.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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