

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36406 of 2017

Arising Out of PS. Case No. -427 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Guddu Kumar Singh, son of Ramanuj Kumar, resident of Village-
Sabalpur, P.S.- Panjwara, District - Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Swapnil Kumar Singh, Advocate

For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 03.12.2016 in connection with Sessions Trial No. 530 of 2017 arising out of Kahalgaon P.S. Case No. 427 of 2016 for the offences alleged under Section 364A of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as he is not named in the first information report nor does the relevant mobile number belong to him. The petitioner's name has transpired on the confessional statement of co-accused Dibyanshu Jha, who has been granted bail by this Court in Cr. Misc. No. 36519 of 2017 vide order dated 31.08.2017. It is further submitted that the petitioner has not been put on test identification parade for his identification. The victim has since been recovered and has not named the petitioner in his deposition rather he has named three other persons. Similarly situated accused person, Md. Laddu, has been granted bail by this Court in Cr. Misc. No. 21193 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 1st Additional District & Sessions Judge, Bhagalpur in connection with Sessions Trial No. 530 of 2017 arising out of Kahalgaon P.S. Case No. 427 of 2016 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)

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