

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36615 of 2017

Arising Out of PS.Case No. -146 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Ajay Roy @ Ajay Rai Son of Shiv Shankar Roy, R/o Village- Mahua
Phulwariya, P.S.- Mahua, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bela Singh, Advocate.

For the Opposite Party : 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 19.11.2016 in connection with Hajipur Sadar P.S. Case No. 146 of 2016 for the offences alleged under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely on the basis of self confession before the police. No incriminating articles have been recovered from the possession of the petitioner nor Test Identification Parade was conducted for his identification. Similarly situated co-accused Bijay Kumar has been granted bail by this Court in Cr. Misc. No. 4228 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 Smt. Smita Raj, learned Judicial Magistrate 1st Class, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 146 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)

Md. Ibrarul/BT

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