

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47508 of 2017

Arising Out of PS.Case No. -96 Year- 2011 Thana -NABINAGAR District- AURANGABAD

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Sumaiya Sharma, Son of Baudh Sharma, Resident of Village- Surjan
Bigha, P.S.- Nabinagar, Dist- Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar

For the Opposite Party/s : Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 18.07.2017 in connection with Nabinagar P.S. Case No. 96 of 2011 for the alleged offences under Sections 147/148/149/452/435/427/380 of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of the CLA Act.

3. It is submitted that the petitioner has been falsely implicated and he is not named in the FIR. His name has transpired on the extra judicial confessional statement of co-accused Sudarshan Singh and Dhananjay Kumar Sharma and except such confession there is no other material to connect the petitioner with the alleged occurrence. The said Dhananjay Kumar Sharma has been granted bail by this Court in Cr. Misc. No. 43742 of 2011.

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 Chief Judicial Magistrate, Aurangabad in connection with Nabinagar P.S. Case No. 96 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 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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