

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15606 of 2017

Arising Out of PS.Case No. -12 Year- 2013 Thana -KHUDWAN District- AURANGABAD

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Sunil Khatri, Son of Shankar Lal Khatri, resident of Village- Jakhim, P.S.-
Rafiganj, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

7 29-06-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Khudwan P.S.
Case No.12 of 2013 registered under Sections 147, 149, 341, 427,
435 and 384 of the Indian Penal Code besides Section 27 of the
Arms Act and Section 17 of the C.L.A. Act.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is not named in the F.I.R. In course of
investigation, the name of the petitioner surfaced in this case in the
confessional statements of the co-accused Bali Yadav alias
Baliram Yadav, Bira Das alias Bira Ravidas and Sridhar Pathak,
as detailed in paragraphs-46, 72 and 67 of the case diary. Except



that, there is nothing against the petitioner to show his involvement in the commission of the alleged offence. Further submission is that the co-accused Bali Yadav alias Baliram Yadav, Bira Das alias Bira Ravidas and Sridhar Pathak, who have disclosed the name of the petitioner, have already been granted bail by different Benches of this Court vide orders dated 03.06.2014, 22.09.2014 and 19.11.2014 passed in Criminal Misc. Nos.17954 of 2014, 17304 of 2014 and 41644 of 2014 respectively. Further submission is that as the petitioner is accused in 5 other cases, as detailed in paragraph-3 to this application, due to that reason, the petitioner has falsely been implicated in this case also. The petitioner is in custody since 27.09.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Khudwan P.S. Case No.12 of 2013. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court



about any change in the address of the petitioner. Further, the petitioner shall attend the trial court on each and every date fixed in the case during the course of the trial. If the petitioner fails to attend the trial court on two consecutive dates during the course of the trial without any reasonable cause being shown, the trial court would be at liberty to cancel the bail bonds of the petitioner.

(Rajendra Kumar Mishra, J)

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