

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16581 of 2017

Arising Out of PS.Case No. -46 Year- 2016 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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Shatrughan Thakur, son of Late Kamal Thakur, resident of village Katra,
P.S. Nagar, District Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pankaj Kumar Das, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.04.2016 in connection with S. Tr. No. 712 of 2016 arising out of Vidyapati Nagar P.S. Case No. 46 of 2016 for the alleged offences under Sections 353, 307/34 of the Indian Penal Code and 25(1B), 26, 27 and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and no recovery of arms has been made from his possession. It is submitted that the petitioner's case stands on better footing than that of co-accused Shivendra Mohan, from whose possession a country made pistol has been recovered and who has been granted bail by this Court in Cr. Misc. No. 51931 of 2016. It is stated that the only other case in which he has made accused arises in respect of the same occurrence.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 20.04.2016 already suffered, 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 Sessions Judge, Samastipur in connection with S. Tr. No. 712 of 2016 arising out of Vidyapati Nagar P.S. Case No. 46 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 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.

(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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