

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19989 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -AURAI District- MUZAFFARPUR

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1. Nagendra Sah @ Bhaisa son of Ramdeo Sah resident of village -
Thumma Tola, Shubh Nagar, P.S. Runni Saidpur, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Aurai
P.S.Case No.121 of 2016 registered for offences punishable under
Section 392 of the Indian Penal Code.

The petitioner is not named in the F.I.R. It appears that his
name transpired during the course of investigation.

It is submitted on behalf of the petitioner that except the
confessional statement, there is nothing against him and he is in
custody for more than six months.

Heard learned A.P.P. also, who has opposed the prayer for
bail, stating that he has criminal antecedent also.

Having heard both sides and from perusal of the record, it
appears that no doubt the petitioner is accused in four other cases



also as appears in para 3 of the petition as well as except the confessional statement there is nothing against the petitioner and he is in custody for more than 6 months, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri Sunil Kumar Tripathi, J.M. Ist Class, Muzaffarpur, in connection with Aurai P.S.Case No.121 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall close relative having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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