

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29788 of 2017

Arising Out of PS.Case No. -63 Year- 2016 Thana -AURAI District- MUZAFFARPUR

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Sudhir Kumar Das @ Sudhir Das, S/o Deepnarayan Das @ Bambaiya,
resident of Village- Madhopur, P.S.- Runnisaidpur, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Aurai P.S.Case No. 63 of 2016 registered for the offences
punishable under Sections 385 and 387 of the Indian Penal Code.

Petitioner is not named in the FIR and the case is of
demand of extortion and name of the petitioner transpires in the
confessional statement of co-accused.

It has been submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case and except
confessional statement there is nothing against him. So far
criminal antecedent is concerned, it has been submitted that he has
been implicated in two other cases in December, 2016 and prior to
that there was no case against him and he is in custody for three



months.

Heard learned APP also, who has opposed the prayer for bail stating that in the confessional statement of co-accused he has stated about the petitioner that money was recovered from the petitioner and he has handed over the same to other co-accused, who has made confessional statement.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-cum-Sub Judge 4th, Muzaffarpur, in connection with Aurai P.S.Case No. 63 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate 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 reason, the prosecution is free to move for cancellation of his bail.

(iv) If active involvement of the petitioner is found in such type of cases in future, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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