

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1356 of 2017

Arising Out of PS.Case No. -100 Year- 2016 Thana -PAKARIBARAW District- NAWADA

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Pawan Kumar @ Kaila, S/o Late Bishundeo Singh, R/o Kesauri, P.S.-
Pakribarawan, Distt.- Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amresh Kumar Sinha

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-07-2017

This appeal is for grant of bail in connection with
Pakribarawa P.S. Case No. 100 of 2016 registered for the offences
under sections 302, 379/34 of the Indian Penal Code and 3 (2) (v)
of the SC/ST Act.

The appellant is not named in the FIR, however it
appears that his name transpired during the course of investigation
on the confessional statement of co-accused.

Submission of the learned counsel for the appellant is
that except confessional statement of co-accused, there is nothing
against the appellant and whatever the recovery has been made
which has been made from another place, not from the house of
the petitioner and the co-accused, who has named the appellant,
has already been granted bail by a coordinate Bench of this Court,



vide order dated 25.01.2017 passed in Criminal Appeal (SJ) No. 994 of 2016 and now the appellant is in custody for about one year.

Heard learned Special Public Prosecutor also.

Having heard both sides and in view of the fact that the co-accused, having similar allegation, has already been granted bail, as such, this appeal is allowed.

Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-I, Nawada in connection with Special (SC/ST) No. 05/2017 arising out of Pakribarawa P.S. Case No. 100 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant 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 rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

Mahesh/-

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