

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60656 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -JOGBANI District- ARRARIA

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1. SURAJ KUMAR @ SURAJ K. YADAV, S/o Chandan Yadav, resident of Village- Morhar, P.S.- Fulkaha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner as well as learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Jogbani (Bathnaha) P.S. Case No.119 of 2017 registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

It has been submitted that the petitioner is not named in the F.I.R. but subsequently on the basis of confessional statement of one of the co-accused Kanhaiya Kumar Sharma, the name of petitioner has been surfaced. It is further submitted that there is no recovery from the conscious possession of the petitioner and till the date no T.I.P. has been conducted. One of the co-accused Shankar Kumar Mandal has been allowed bail in Cr.Misc.No.58925 of 2017 by one of the coordinate Bench of this



Court on 14.12.2017. The case of the petitioner stands on similar footing and he is in custody since 05.08.2017.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 the learned A.C.J.M.-I, Araria in connection with Jogbani (Bathnaha) P.S. Case No.119 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person 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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) 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 reasons, the prosecution is free to move for cancellation of his bail.

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(Sanjay Kumar, J)

