

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5085 of 2018

Arising Out of PS.Case No. -140 Year- 2013 Thana -GOH District- AURANGABAD

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1. Sunil Khatry, S/o Shankar Lal Khatry, R/o Village- Jakhim P.S.-
Rafiganj, District- Aurangabad (Bihar). Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 19-02-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner has been in custody since
08.08.2017 in connection with Goh P.S. Case No.
140/2013 registered for the offences punishable under
Sections 147/148/149/324/353/307/326/435/379/427
/302 of the Indian Penal Code, Section 3/4 of Explosive
Substance Act, Section 10 of the UAPA and Section 17 of
the C.L.A. Act.

Learned counsel appearing on behalf of the
petitioner has filed a supplementary affidavit in which it is
being stated that the co-accused who had given the
confessional statement, on the basis of which the
petitioner had been taken into custody, has since been
acquitted of the charge.



Considering the aforementioned facts and circumstances of the case and that other similarly situated has since been granted the privilege of regular bail, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Aurangabad, in connection with Goh P.S. Case No. 140/2013, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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