

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6469 of 2018

Arising Out of PS.Case No. -430 Year- 2016 Thana -MADHUBANI TOWN District- MADHUBANI
=====

Sanjeev Kumar Giri @ Sanjeev Kr. Giri son of Damodar Giri, Resident of
Village-Subhash Colony Ukhara, P.S.-Andal, District-Bardwan (West
Bengal).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party
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Appearance :

For the Petitioner : Mr. Baleshwar Kamat, Advocate.

For the Opposite Party : APP
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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 30.11.2017 in connection with Town P.S. Case No. 430 of 2016 (G.R. No. 2615 of 2016) for the offences alleged under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely on suspicion and on the ground that his vehicle bearing Registration No. WB44A-5821 was found at the place of occurrence. The F.I.R. is against co-accused one named person and five to six unknown persons. The F.I.R. named accused Suraj Chawhan has been granted bail by this Court in Cr. Misc. No. 37848 of 2017 and so also other co-accused Eknath Bhagwan Pawar @



Eknath Pawar, Dayanand Bind and Pappu Singh @ Pappu Kumar @ Ranjan Kumar Das have also been granted bail by this Court in Cr. Misc. No. 27323 of 2017, Cr. Misc. No. 30724 of 2017 and Cr. Misc. No. 62837 of 2017 respectively. The petitioner surrendered before the learned Court of C.J.M., Madhubani on 30.11.2017 (Annexure-2) and hence the observation of the learned Additional Sessions Judge-VI, Madhubani in the order sheet dated 04.01.2018 that the petitioner was arrested on the basis of C.C.T.V. footage is clearly an error of record. It is stated that the vehicle in question was sold by the petitioner on 14.01.2016 itself much prior to the occurrence to one Puja Kole and thus had no concern with the vehicle.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named 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 learned Chief Judicial Magistrate, Madhubani, in connection with Town P.S. Case No. 430 of 2016 (G.R. No. 2615 of 2016), on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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 reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate 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.

(Vikash Jain, J)

Md. Ibrarul/-

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