

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6392 of 2018

Arising Out of PS.Case No. -4 Year- 2016 Thana -PANJWARA District- BANKA

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Sunil Datta @ Tapan Datta @ Topan, son of Dhanichandra Datta,
Resident of Village- Siradih, Police Station- Jaipur, District- Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 18.10.2017 in connection with Panjwara P.S. Case No. 04 of 2016 for the offences alleged under Sections 395 and 397 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and except the extra judicial confessional statement of co-accused Niranjana Yadav @ Niro Yadav, there is no other material to connect the petitioner with the alleged occurrence. No recovery of any incriminating articles has been made from the possession of the petitioner nor test identification parade has been conducted for his identification. The said co-accused Niranjana Yadav @ Niro Yadav has been granted bail by this Court in Cr. Misc. No. 26455 of 2017 and so also other co-accused Chunchun Yadav & Pujan Yadav have been granted bail by this Court in Cr. Misc. No. 27986 of 2017.

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, Banka, in connection with Panjwara P.S. Case No. 04 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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