

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35073 of 2018

Arising Out of PS.Case No. -133 Year- 2016 Thana -KHIJARSARAI District- GAYA

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1. Gauri Shankar @ Prince Kumar @ Prince, Son of Sanjeev @ Sanjay Yadav @ Sanjay Kumar @ Sanjeev Kumar, R/o Village- Hasaura, P.S.- Nagar, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Smt. Sharda Kumari

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner has been in custody since 01.05.2017 in connection with Khizarsarai P.S. Case No. 133 of 2016 registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that neither is the petitioner named in the First Information Report nor has any incriminating article been recovered from his possession. It is further submitted that the name of the petitioner came in the confessional statement made before the police by another co-accused person which is not admissible in evidence and till date, the petitioner has not been placed on T.I. Parade. It is further



submitted that the other cases which form part of his antecedent, have all been on the basis of such suspicion and in all cases, he has been granted bail by either this Court or the Court below.

In view of the aforementioned facts and circumstances, 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 A.C.J.M.-VII, Gaya in connection with Khizarsarai P.S. Case No. 133 of 2016, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their 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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