

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42473 of 2018

Arising Out of PS.Case No. -635 Year- 2016 Thana -BANKA District- BANKA

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1. Santosh Kumar @ Santosh Sah @ Santosh Kumar Ram Son of Mahendra
Ram Resident of Village- Koriyasa, P.S. and District- Deoghar(Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Gupta

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-07-2018 Earlier prayer for bail of the petitioner was rejected

vide order dated 20.04.2017 passed in Cr. Misc. No. 9667 of 2017

in connection with Banka P.S. Case No. 635 of 2016, registered

for offences punishable under Section 302/34 of the Indian Penal

Code with direction to the trial court to conclude the trial and

within a period of one year and petitioner was given liberty that if

the trial is not concluded within the aforesaid period he may renew

his prayer for bail.

Submission of learned counsel for the petitioner

that there is no eye witness of the occurrence and petitioner has

been made accused in this case only on the basis of suspicion and

similarly situated co accused has already been enlarged by a

coordinate Bench of this Court vide order dated 16.01.2018 passed

in Cr. Misc. No. 59673 of 2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let



the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge –II, Banka, in connection with Banka P.S. Case No. 635 of 2016, 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) 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.

(Vinod Kumar Sinha, J)

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