

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69880 of 2018

Arising Out of PS. Case No.-867 Year-2012 Thana- BETTIAH CITY District- West
Champaran

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Naresh Sah Son of Late Badri Sah Resident of Village-Bagahi Nimiya
Tola,Police Station-Bairiya,Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Bettiah Town P.S. Case No. 867 of 2012
registered for the offence punishable under Sections 328, 302/34
of the Indian Penal Code.

Petitioner is not named in the FIR. His name has
surfaced in this case on the basis of confessional statement of
co-accused Birjun Chaudhary who has already been granted bail
by this Court vide order dated 20.04.2017 passed in Cr. Misc.
No. 1936 of 2017. Other co-accused has been granted bail by
this Hon'ble Court vide order dated 16.03.2016 passed in Cr.
Misc. No. 39468 of 2015. Except confessional statement, there



is no material against him. Petitioner is in custody since 20.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah Town P.S. Case No. 867 of 2012 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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