

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28148 of 2018

Arising Out of PS.Case No. -102 Year- 2017 Thana -SUIYA District- BANKA

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Ajay Kumar Son of Chatish Paswan Resident of Village - Madhodih, P.S. - Harpur, District - Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar

For the Opposite Party/s : Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-05-2018 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is in custody since 13.11.2017 in connection with Suiya P.S. Case No. 102 of 2017 registered for the offences under Section 394 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner has not been arrested from the place of occurrence, rather he has been arrested on the basis of the confessional statement made before the police by one Amar Kumar which has no evidentiary value. It is further submitted that similarly situated co-accused person has already been granted bail by this Court vide order dated 2.5.2018 passed in Cr. Misc. No. 19206 of 2018.

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/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Suiya P.S. Case No. 102 of 2017, subject to the following conditions:-

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

(Mohit Kumar Shah, J)

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