

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2228 of 2018

Arising Out of PS.Case No. -354 Year- 2017 Thana -JAGDISHPUR District- BHAGALPUR

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Suresh Sah, Son of Ucheshwar Sah, resident of Village Babhangawan,
P.S. Goradih, District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 03.11.2017 in connection with Jagdishpur (Goradih) P.S. Case No. 354 of 2017 for the offences alleged under Sections 341, 147, 148, 149, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and there is case and counter case between the parties as co-accused Umesh Tanti and Madan Kumar have also filed cases against the informant's side. In any event, according to the fardbeyan of the informant made in the FIR, the ingredients of the offence under Section 307 IPC are not made out and do not disclose the intention of the accused to kill anyone. There is no injury report to corroborate the accusation of assault attributed to the petitioner, who claims clean antecedents.

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, Bhagalpur in



connection with Jagdishpur (Goradih) P.S. Case No. 354 of 2017, 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)

B.T/Chandran

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