IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11218 of 2018

Arising Out of PS.Case No. -12 Year- 2016 Thana -BHELDI District- SARAN

==========

1. Shiv Narayan Bhagat S/o Ramji Bhagat Resident of Village- Korea, P.S. Bheldi, District- Saran at Chhapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Yashraj Bardhan
For the Opposite Party/s : Mr. Mithilesh Kumar Khare

==========

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 30-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 29.07.2017 in connection with Sessions Trial No. 506 of 2017, arising out of Bheldi P.S. Case No. 12 of 2016 for offences punishable under Sections 354, 353, 366, 323, 379 of the Indian Penal Code.

The prosecution case by way of complaint case, which was subsequently registered as P.S. case under Section 156(3) Cr.P.C., is that the petitioner took away her husband to Kerala on 15.06.2015, he talked till 13.09.2015 but thereafter there was no information from his side. When the informant

WEB COPY

went to enquire about her husband's whereabouts she was beaten by the petitioner and turned away.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and is not involved in any manner whatsoever with the husband of the informant. The petitioner also went to work in Kerala along with the informant's husband but it is only on the basis of suspicion that the petitioner has been made accused. He submits that the trial is going on and he undertakes to cooperate in the trial and will not tamper with the evidence or witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II, Saran at Chapra, in connection with Sessions Trial No. 506 of 2017, arising out of Bheldi P.S. Case No. 12 of 2016, subject to the conditions that :

(1) One of the bailors would be a close relative of the

WEB COPY

petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	

WEB COPY