

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43890 of 2018

Arising Out of PS.Case No. -386 Year- 2017 Thana -SHEIKHPURA District- SHEIKHPURA

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Shailendra Kumar @ Sunil Mukharjee, Son of Late Mathura Prasad,
Resident of Village - Banwara, P.S. Chikshaura, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Indian Bank, through Branch Manager, Sheikhpura Branch,
Sheikhpura.

.... Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ram Anurag Singh, Advocate
For the State	:	Mr. Md. Sufiyan, APP
For the Informant	:	Mr. Sanjay Singh Thakur, Advocate
		Ms. Parijat, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 01-08-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 13.01.2018 in connection with Sheikhpura P.S. Case No.386 of 2017 registered for the offence under Sections 395 and 397 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is not named in the FIR, on the basis of confessional statement made before the police by one co-accused Pramod Bind, the petitioner has been implicated in connection with the present case. It is further submitted that



save and except the confession made before the police, which has no evidentiary value, there is no further material against the petitioner. It is also pointed out that there has been no recovery from the possession of the petitioner nor has he been placed on T.I. Parade, for which he is languishing in jail for six months.

Considering the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sheikhpura, in connection with Sheikhpura P.S. Case No.386 of 2017, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, 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.

(Anjana Mishra, J)

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