

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1823 of 2018

Arising Out of PS.Case No. -110 Year- 2016 Thana -HALSI District- LAKHISARAI

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Shubham Kumar Suman @ Shubham Kumar @ Suman, Son of Jai Shankar Prasad, Resident of - Surya Math Tola, Behind of R. Lal College, Ward No. 21, Police Station- Lakhisarai Kabaiya, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukul Jee, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram,APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 14-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner who is in custody since 30.08.2016 has renewed his prayer for bail in connection with Halsi P.S. Case No. 110 of 2016, G.R. No. 1304 of 2016 for the offences alleged under Section 394 of the Indian Penal Code having earlier been rejected by this Court by order dated 19.08.2017 in Criminal Miscellaneous No. 20529 of 2017.

3. It is submitted that through sheer inadvertence some material facts could not be brought to the notice of the Court. As a matter of fact the petitioner had been arrested in connection with Halsi P.S. Case No. 111 of 2016 on 30.08.2016 and was remanded in this case on 24.12.2016. It is submitted that neither the petitioner nor the articles allegedly recovered from him have been put on test identification parade, which casts serious doubt about the veracity of the accusations as concerns the petitioner.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and considering the custody suffered



since 30.08.2016, 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 3rd Additional Chief Judicial Magistrate, Lakhisarai, in connection with Halsi P.S. Case No. 110 of 2016, G.R. No. 1304 of 2016 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 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.

(iv) 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.

(Vikash Jain, J)

Chandran/BT

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