

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38944 of 2018

Arising Out of PS.Case No. -289 Year- 2017 Thana -RAMGARH District- BHABHUA (KAIMUR)

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1. Gopi Jaiswal S/o Thakur Prasad Jaiswal resident of Village- 217, Mircha Road, Uttar Mohalla- Mircha Kusi, P.S. Dildar Nagar, Distt. Gazipur, Distt- Gazipur (U.P).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Ramgarh (Nuaon) P.S.Case no.289 of 2017 registered for offences punishable under Section 392 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was rejected vide order dated 22.3.2018 passed in Cr. Misc. No.16325 of 2018.

Submission of the learned counsel for the petitioner is that the mobile was given by some other accused person and he was using the same by putting his SIM and moreover he has remained in custody since 17.12.2017 and another co-accused Sadhu Yadav @ Rajesh Yadav has been granted bail by this Court vide order dated 15.5.2018 passed in Cr. Misc. No.15406 of 2018.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM Ist, Kaimur at Bhabua in connection with Ramgarh (Nuaon) P.S.case No.289 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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