

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69893 of 2018

Arising Out of PS. Case No.-9 Year-2007 Thana- ATRI District- Gaya

Satendra @ Sato Prasad @ Satendra Prasad @ Satendra Prasad Sato son of
Late Shaligram Prasad, resident of village-Bhojpur, P.S. Atri, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kiran Sinha
For the Opposite Party/s : Mr. Sri Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-12-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Atri P.S. Case No. 09 of 2007 for the offenses punishable under
Sections 147, 148, 149, 302, 452, 380, 379 and 427 of the Indian
Penal Code, Section 17 of the Criminal Law Amendment Act
and Sections 3 and 4 of the Explosive Substances Act.

The allegation against the petitioner is regarding
blasting the house of the informant resulting in the same having
crumpled down. It is further alleged that the petitioner and other
accused persons are said to have attacked the house of the
informant resulting in death of one Bandhu Yadav. It is also
alleged that the accused persons had looted jewellery, cash
wheat and rice.



The learned counsel for the petitioner submits that the present case is an old one i.e. of the year 2007, however, summons were issued to the petitioner in the year 2015 whereafter upon having come to know about the present case, the petitioner has taken steps to avail the privilege of bail. It is further submitted that the petitioner has been falsely implicated in the present case and during the course of investigation of the case nothing incriminating has been found from his house. The petitioner is stated to be having a clean antecedent and is languishing in custody since 13.06.2018. It is further submitted that similarly situated co-accused persons have been granted bail by a coordinate Bench of this Court by an order dated 12.03.2015 passed in Criminal Misc. No. 6511 of 2015 as well as by an order dated 19.11.2018 passed in Criminal Misc. No. 65093.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIII, Gaya in connection with Atri P.S. Case No. 09 of 2007, with following conditions:-

(1) Bailors should be local having sufficient immovale property within the jurisdiction of



the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Mohit Kumar Shah, J)

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