

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20859 of 2018

Arising Out of P.S.Case No. -125 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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Prabhu Sao Son of Tulsi Nayak, Resident of Village- Ataka, P.S.-
Bagodar, District- Giridih (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Viveka Nandsingh, Advocate

For the Opposite Party: Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 04.12.2017 in connection with Muffasil P.S. Case No. 125 of 2017 for the offences alleged under Sections 394 and 328 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as he is not named in the first information report. No test identification parade has been conducted for identification of the petitioner nor have any incriminating articles been recovered from his possession. He along with three other accused persons have been implicated merely on the basis of the so-called statements of the accused persons of Madanpur P.S. Case No. 214 of 2017 and except such statements, there is no other material to connect the petitioner with the alleged offence. Similarly situated co-accused persons, namely, Satendra Kumar Sao and Babuni Mandal @ Babuni Mahto have been granted bail by coordinate Bench of this Court in Cr. Misc. No. 19949 of 2018 and Cr. Misc. No. 20168 of 2018, respectively.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 Chief Judicial Magistrate, Aurangabad in connection with Muffasil P.S. Case No. 125 of 2017, 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 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.

B.T/Chandran

(Vikash Jain, J)

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