

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21419 of 2018**

Arising Out of PS.Case No. -3 Year- 2017 Thana -CHANDAN District- BANKA

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Basudeo Khaira, Son of Kailu Khaira, Resident of Village - Piluwa, P.S.  
Chandan, District Banka.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Sanjay Kumar Tiwary, Advocate.

For the Opposite Party : 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 07.09.2017 in connection with Chandan (Anandpur) P.S. Case No. 3 of 2017, G.R. No. 40 of 2017 for the offences alleged under Sections 121, 121(A, 120(B) of the Indian Penal Code, 25(1-b)a/26 of the Arms Act and Sections 9, 10, 11, and 13 of the Unlawful Activities (Prevention) Act, 1967.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and on the extra judicial confessional statement of co-accused Ramayan Turi. Except these, there is no other material to connect the petitioner with the alleged occurrence. Similarly situated co-accused Yogendra Marandi @ Yogendra Kumar Marandi has been granted bail by this Court in Cr. Misc. No. 26134 of 2017. The petitioner claims clean antecedents.

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 Sri Roushan Kumar, learned Judicial Magistrate 1<sup>st</sup> Class, Banka, in connection with Chandan (Anandpur) P.S. Case No. 3 of 2017, G.R. No. 40 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.
- (iv) The petitioner shall cooperate 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.

**(Vikash Jain, J)**

Md. Ibrarul/BT

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