

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11901 of 2018

Arising Out of PS.Case No. -266 Year- 2017 Thana -BANIAPUR District- SARAN

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Ravi Kumar Prasad son of Dinesh Prasad, resident of Village- Satua, P.S. Baniapur, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Kant Singh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 07.10.2017 in connection with Baniapur P.S. Case No. 266 of 2017 for the offences alleged under Sections 302/376G of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion, except which there is no material whatsoever to connect the petitioner with the alleged occurrence. There is no eye witness and the petitioner is not said to have been seen by anyone. The accusation has been made in the backdrop of land dispute between the petitioner and the informant. Similarly situated co-accused Neeraj Panheri has been granted bail by this Court in Cr. Misc. No. 1466 of 2018 after examining the case diary and there is no material in the case diary to support the prosecution case. 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 learned Additional Chief Judicial Magistrate-XI,



Chapra, in connection with Baniapur P.S. Case No. 266 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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