

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6386 of 2018

Arising Out of PS.Case No. -153 Year- 2016 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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Santosh Kumar @ Bhola Yadav, son of Late Lal Mohan Yadav, resident
of Village- Saura Tola, P.S. Baghaila, District Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwari, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-02-2018 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 Nasriganj (Rajpur) P.S. Case No. 153 of 2016 for the offences alleged under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and only on the extra judicial confessional statement of co-accused Prem Chand Kumar Singh @ Prem Yadav and Inderma Singh, both of whom has been granted bail by this Court in Cr. Misc. No. 10844 of 2017 and Cr. Misc. No. 36610 of 2017. No recovery of any incriminating articles has been made from the possession of the petitioner nor test identification parade has been conducted for his identification.

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, Bikramganj, Rohtas, in connection with Nasriganj (Rajpur) P.S. Case No. 153 of 2016, 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/-

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