

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36736 of 2018

Arising Out of PS.Case No. -174 Year- 2017 Thana -UJIYARPUR District- SAMASTIPUR

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1. Jitendra Sah @ Jitendra Kumar Sah S/o Jagarnath Sah, R/o Vill.- Mogal Chowk, P.S.- Mohiuddin Nagar , District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. U.L. Verma, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 23.11.2017 in connection with Ujiyarpur P.S. Case No. 174/2017 registered for the offences punishable under Sections 120(B)/302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that only because the petitioner has given some money to the mother of the informant and had been demanding the return of the same, the petitioner has been implicated in connection with the present case. The entire allegation is based on suspicion and conjectures. It is further stated that the main person who is said to have been allegedly involved in the murder of the mother of the informant is



daughter of one Ram Prasadi Shah, elder brother of the father of the informant, who has since been granted bail by this Court in Cr. Misc. No. 5551 of 2018 vide order dated 01.02.2018. Though, it has been alleged in the FIR that the deceased while dying had made a statement that Reena has caused the murder of herself.

In view of the aforementioned facts and circumstances, and that the petitioner has already been in custody for more than six months, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Dalsingsarai, Samastipur, in connection with Ujiyarpur P.S. Case No. 174/2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) 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 reasons, his bail bonds shall be liable to be cancelled by



the learned court concerned.

- (4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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