

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33928 of 2018

Arising Out of PS. Case No.-625 Year-2017 Thana- KISHANGANJ District- Kishanganj

MD. SAKIM @ SAKIM, S/o Late Nausad, R/o Village- Khalgaon Khari
Basti, P.S. & District- Kishanganj. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP 221

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

4 27-07-2018 Heard learned counsel for the petitioner and the State.

The petitioner is languishing in jail since 25.11.2017
in connection with Kishanganj P.S. Case No. 625 of 2017
registered under Sections 302, 201, 363, 365, 379, 411, 34 of
Indian Penal Code.

Learned counsel for the petitioner submits that the
name of the petitioner has surfaced only in the confessional
statement made before the policemen by one Ranjit Paswan. It
is further submitted that the recovery was made at his instance
and whatever recoveries were made were exclusively from the
possession of Ranjit Paswan, and not the present petitioner.
Moreover, the petitioner has got the clean antecedent.

Diary in the present case was called for, which has
been received.

Learned counsel for the state, after perusal of the case
diary, submits that, save and except confessional statement
made before the police, there is no further material in the case



diary to support the allegation against the petitioner.

Considering the aforesaid facts and circumstances let the petitioner, named above, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Kishanganj P.S. Case No. 625 of 2017 to the satisfaction of the Chief Judicial Magistrate, Kishanganj on the following conditions.

(1) One of the bailors will be his own blood relative, preferably father, mother, brother, sister of petitioner.

(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 bond 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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