

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12121 of 2019

Arising Out of PS. Case No.-166 Year-2018 Thana- GARDANIBAG District- Patna

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SUNNY @ MD. HASIB aged about 22 years male, Son of Md. Sunain
Resident of Karbala Road, P.S.- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Tewary

For the Opposite Party/s : Mr.Rajiv Nayan (App)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-02-2019 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 02.11.2018 in Criminal Miscellaneous No. 62045 of 2018 with liberty to renew his prayer for bail after completing eight months of Jail custody.

Petitioner seeks bail in **Gardanibagh P.S. Case No. 166 of 2018** registered for the offence punishable under Sections 394, 397, 302 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioner that



petitioner is not named in the FIR. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Nishant Kumar @ Nishu. It has been further submitted that TIP of the petitioner was held but Informant has not identified the petitioner. Petitioner is in custody since 31.05.2018 and he has completed more than eight months of Jail custody.

Considering the aforesaid facts and circumstances of the case and considering the period of custody, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **FTC-II, Patna**, in connection with **Gardanibagh P.S. Case No. 166 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail



bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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