

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17137 of 2019

Arising Out of PS. Case No.-633 Year-2017 Thana- NAWADA District- Nawada

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AVINASH SREEVASTAV @ AMIT @ Abinash Shreevastav @ Ankit Son of
Late Lalan Srivastava @ Lala Sinha Resident of Mohalla- Chandmari Road
No.1, P.S.- Kankarbagh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.S.K. Lal Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 16-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 12.09.2018 in connection with Nawada P.S. Case No. 633 of 2017 for the offence registered under Sections 397 and 398 of the Indian Penal Code and later on, Section 396 of the Indian Penal Code was added.

Learned counsel for the petitioner submits that the first information report is against unknown persons but subsequently on the basis of the video footage, the name of the petitioner has surfaced and he has been taken into custody. It is further submitted that on the basis of the confessional statement made by one Sahbaz Ansari @ Sonu Ansari, the petitioner was



being prosecuted and so far as the said Sahbaz Ansari @ Sonu Ansari is concerned, he has since been extended the privilege of bail in Cr. Misc. No. 19164 of 2018 vide order dated 02.05.2018. It is further submitted that the petitioner has not been placed on T.I. Parade till date.

Considering the aforesaid facts and circumstances of the case and that there is no recovery from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawada in connection with Nawada P.S. Case No. 633 of 2017, subject to the following conditions:-

1. One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his 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 his 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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