

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56756 of 2019

Arising Out of PS. Case No.-67 Year-2018 Thana- BARHAT District- Jamui

MAHESH SAH Son of Kishun Sah Resident of Village - Hadhadiya, P.S.-
Laxmipur, District- Jamui (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Pushpa Sinha. I

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-10-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 27.03.2019 in connection with Barhat P.S. Case No. 67/2018 registered for the offence punishable under Sections 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the name of the petitioner surfaced in the confessional statement of the co-accused Sajan Kumar which has no evidentiary value. It is further submitted that till date, the petitioner has not been placed on T.I. Parade nor has any recovery been made from his conscious possession. Learned counsel for the petitioner further submits that so far as the other cases are concerned, in most of the cases, the petitioner's name has surfaced either on suspicion



or in the confessional statement made before the police which has no evidentiary value excepting one case, he has been granted bail in all other cases.

In view of the aforementioned facts and circumstances and also because the co-accused Sajan Kumar has been granted bail in Cr. Misc. No. 39515 of 2019 vide order dated 02.07.2019, 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 learned J.M.1st Class, Jamui, in connection with Barhat P.S. Case No. 67/2018, subject to the following conditions:-

- (1) One of the bailors will be father of the 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 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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