

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66484 of 2019**

Arising Out of PS. Case No.-215 Year-2013 Thana- BARBIGHA District-
Sheikhpura

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SANTOSH RAM S/o Krishana Ram @ Krishnandan Ram R/o village-
Parnama, P.S.- Sarmera, District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Tej Narayan Singh, Advocate.

For the Opposite Party: Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 406, 364, 396, 302 of the Indian Penal
Code and Section 27/30 of the Arms Act registered in connection
with Barbiga P.S. Case No. 215 of 2013.

3. It is submitted that the petitioner has been falsely
implicated and he is not named in the F.I.R. His name has
transpired on the confessional statement of Munna Kunwar who
has named other co-accused Duldul Thakur @ Sunil Thakur. Co-
accused Munna Kunwar and Duldul Thakur @ Sunil thakur have
since been granted bail and anticipatory bail by this Court in Cr.
Misc. No. 5419 of 2014 and Cr. Misc. No. 47445 of 2017
respectively. The petitioner claims clean antecedent.

4. Learned APP appears and has been heard. He has
not pointed out any objective material against the petitioner from
the case diary.

5. Be that as it may, in the event of the petitioner's



arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Radhe Shyam, learned Judicial Magistrate, Sheikhpura in connection with Barbigha P.S. Case No. 215 of 2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate 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.

(iv) That 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 reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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