

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72614 of 2018

Arising Out of PS. Case No.-530 Year-2016 Thana- KHAGARIA District- Khagaria

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Sunil Keshari Son of Satyanarayan Keshari @ Satyanarayan Prasad Keshari,
resident of Village- Bela Simri, P.S.- Gangour, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bharat Bhushan

For the Opposite Party/s : Mr.Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 31-01-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302, 201/34 IPC registered in connection with Khagaria Gangour P.S. Case No. 530/2016 (GR No. 1877 of 2016).

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and there is no objective material to connect the petitioner with the alleged occurrence. Statement of independent witnesses have been recorded under Section 164 Cr.P.C., in which they have clearly stated that the petitioner had no role to play, rather it was Valmiki and Dhananjay who have killed the informant's son. The petitioner claims clean antecedents.

4. Learned APP refers to the case diary, but however, has not pointed out any objective material against the petitioner.

5.. Be that as it may, having regard to the entirety of the facts and circumstances, 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 learned



CJM, Khagaria, in connection with Khagaria Gangour P.S. Case No. 530/2016 (GR No. 1877 of 2016), 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 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.
- iv. 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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