

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54211 of 2019**

Arising Out of PS. Case No.-866 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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MUNNILAL SAH Son of Sri Raghuvir Sah Resident of Mohalla-
Naurangabad, Bettiah near Gandhi Lodge, P.S.-Bettiah Town, District-West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jainendra Kumar Pushkar

For the Opposite Party/s : Mr.Rina Sinha

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER**

2 08-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 23.12.2017 in
connection with Bettiah Town P.S. Case No. 866 of 2017 for
the offence registered under Sections 365, 364, 302 201,
120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that earlier
prayer for bail of the petitioner had been rejected but
subsequently, in view of the fact that another similarly situated
co-accused persons has been extended the privilege of bail, he
has renewed his prayer for grant of bail. It is further submitted
that name of the petitioner had transpired on the basis of the
confessional statement made before the police by the co-accused



which has no evidentiary value. It is further submitted that one Avinash Kumar @ Avinash Kumar Yadav who was also similarly named in the confessional statement has since been extended the privilege of bail vide order dated 20.06.2019 passed in Cr. Misc. No. 30735 of 2019.

Considering the aforesaid facts and circumstances of the case and that the petitioner has no criminal antecedent, 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 Judicial Magistrate 1st West Champaran, Bettiah in connection with Bettiah Town P.S. Case No. 866 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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