

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37429 of 2021

Arising Out of PS. Case No.-116 Year-2020 Thana- KATHAIYA District- Muzaffarpur

Monu Kumar S/Do Shyambabu Giri @ Shambhu Giri R/O Village-
Manguraha, P.S- Baruraj, District-Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 14-12-2021 The applicant/accused in Crime No. 116 of 2020 registered with Kathaiya Police Station for the offences punishable under sections 414, 399, 402 read with Section 34 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act and 8, 20, 22 of the NDPS Act, by this application is seeking his release on bail during pendency of the trial.

It is reported that the charge-sheet is already filed and the applicant is undergoing pre-trial detention from 5.11.2020.

Heard the learned counsel for the applicant. He submits that the name of the applicant is surfaced during the interrogation of the co-accused. The learned prosecutor also



submits that in the confessional statements of the co-accused made to the police, the name of the applicant is revealed.

Thus, it is clear that so far as the applicant is concerned, the evidence against him is that of confessional statement of the co-accused to the police. Nothing is stated to be recovered from the applicant. The applicant has already undergone pre-trial detention about one year and therefore, the order.

The application is allowed.

The applicant/accused in Crime No. 116 of 2020 registered with Kathaiya Police Station is directed to be released on bail on executing P.R. Bond of Rs. 25,000/- (Twenty five Thousand) on furnishing sureties of the like amount to the satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should not repeat the trial in expeditious disposal of the trial against him.



(III) The applicant to remove all office objections forthwith and the Registry to issue bail-writ as per this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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