

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57387 of 2015

Arising Out of PS.Case No. -230 Year- 2015 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Binod Sah S/o Late Mahendra Sah resident of vill. - Balapur, P.S.
Ghorasahan, Distt. - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Madhuranand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 21-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 304(B), 201/34 of the Indian Penal Code.

The petitioner happens to be the father-in-law of the
deceased and the impugned order of learned 8th Additional
Sessions Judge, East Champaran, Motihari shows that the bail
petition of the petitioner was only rejected by the Court as the
investigating officer had submitted charge-sheet against him. The
learned Additional Sessions Judge has not given any material,
which has come against the petitioner in course of investigation
nor any specific reason for rejection of bail of the petitioner. It is

pertinent to mention here that in course of hearing of bail petition, I have come to across of several orders of 8th Additional Sessions Judge, East Champaran, Motihari and found that the learned Additional Sessions Judge is in habit of rejecting the bail petition without applying his judicial mind to the facts and circumstances of the case. Moreover, the aforesaid Court is strictly warned to be more cautious while passing the order on bail petition.

Accordingly, let above named petitioner 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 learned C.J.M., Motihari in Ghorasahan P.S. Case No. 230 of 2015/G.R.No. 1053 of 2015.

Let a copy of this order be communicated to the concerned court without any delay.

(Hemant Kumar Srivastava, J)

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