

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27930 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -HATHAURI District- MUZAFFARPUR

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1. Ram Babu Sahni Son of Asarfi Sahni resident of village - Shivdaspur
Tole Bishutha, P.S. Katra, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. S.N.Shukla(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 15-10-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 387, 384, 386 and 120 (B)/34 of the I.P.C and sections 17, 18, 19, 20, 21 and 23 of the U.A.P. Act.

The petitioner is not named in the FIR but during course of investigation his complicity has come to light when he along with other miscreants were apprehended when they were convening meeting and the petitioner in his confessional statement has admitted regarding his complicity in collection of levy and other nuxal related crime.

Submission is of false implication and that the police after adopting third degree method got recorded the confessional

statement. Similarly situated co-accused Lal Babu Paswan and Indal Kumar @ Indal Ram have been allowed bail vide Cr. Misc. Nos. 24307 of 2015 and 26193 of 2015 and the petitioner by remaining in custody since 15.02.2015 has been sufficiently penalized, to which the learned A.P.P. is not in a position to distinguish the case of the petitioner with other co-accused.

In the facts and circumstances as stated above, the petitioner is directed to 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 Sessions Judge- Cum- Special Court, Muzaffarpur in Hathauri P.S. Case No. 06 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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