

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50580 of 2015

Arising Out of PS.Case No. -197 Year- 2013 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Rajesh Sahni son of Chulahi Sahni resident of village Rohuan P.S. Madhuban. District East Champaran.			Petitioner/s
			Versus
1. The State of Bihar.			 Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh
For the Opposite Party/s	:	Mr. Indra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 21-12-2015

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Madhuban P.S. Case No. 197 of 2013 registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code.

Allegedly 20 to 25 unknown miscreants committed dacoity in the house of the informant and also in the house of his brother and took away mobiles, ornaments and other house hold articles. During investigation, the name of the petitioner transpired in the confessional statement of co-accused and further mobiles and some clothes were recovered from the hut of co-accused Ram Balak Paswan.

Submission is of false implication and that the petitioner is in custody since 14.12.2014 but he has not been put on TIP. Nothing has been recovered from conscious possession of the petitioner and other co-accused namely, Sikandar Singh @

Satendra Singh, Ram Balak Paswan and Anup Sahni have been allowed bail.

The learned A.P.P. fairly submits that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

In the facts and circumstances stated above, the petitioner is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Judicial Magistrate, Sikrahana at Motihari arising out of Madhuban P.S. Case No. 197 of 2013 subject to the conditions that one of the bailors must be 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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