

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41252 of 2016

Arising Out of PS. Case No. -133 Year- 2010 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN (MOTIHARI)

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Rajan Sahani S/o Ramraj Sahani, of Vill.- Raghunathpur, P.S.- Turkaulia,
Dist- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sangeet Deokuliar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 30-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 16.07.2010 in connection with Trial No. 1060 of 2016 arising out of Motihari Town P.S. Case No. 133 of 2010 for the offences alleged under Sections 147, 148, 149, 324, 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and the petitioner is not named in the FIR. The accusation of firing upon the informant is on other accused persons and there is nothing to connect the petitioner with the offence alleged. No recovery has been made from the conscious possession of the petitioner. According to the FIR itself, injury attributed to the other accused persons appears to be simple in nature.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction

of learned Additional Chief Judicial Magistrate-V, Motihari, East Champaran, in connection with Trial No. 1060 of 2016 arising out of Motihari Town P.S. Case No. 133 of 2010 with the following conditions:

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

B.T/Ibrar

(Vikash Jain, J)

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