

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50940 of 2016

Arising Out of PS.Case No. -150 Year- 2016 Thana -SHEOHAR District- SHEOHAR

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1. Ranjit Sahani, son of Ramagya Sahani, R/o Village- Hanuman Nagar,
P.S. & District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Sri Binod Kumar 3, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2016

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

The petitioner is languishing in jail since 03.10.2016 in a
case registered for offences punishable under Section 395 of the
Indian Penal Code.

The prosecution case as lodged by the informant
Deeplal Ray Patel on 01.09.2016 is that some miscreants came in
his house, armed with country made pistol and danda and looted
articles, such as Gold, silver ornaments, clothes, one A.T.M. card
of S.B.I. and one A.,T.M. card of Axis Bank in the name of
Bhushan Kumar, L.C.D. colour T.V. and cash about Rs. 65,000/-.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid case. He submits that there is no criminal history against

the petitioner and that no T.I.P. has been done so far. He further submits that it is only on the confessional statement of the co-accused, Bachhu Sahni that his name surfaced, which has no evidentiary value in the eye of law. It is further submitted that nothing has been recovered from the possession of the petitioner.

Learned A.P.P. for the State however submits that the victim is not named in the F.I.R. and his name surfaced during investigation, hence, opposes the prayer for bail.

Considering the facts and circumstance of the case is that nothing has been recovered from the possession of the petitioner, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each the to the satisfaction learned Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S.Case No. 150 of 2016 with a condition that one of the bailor would be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned police station and the petitioner is directed to appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bond..

(Nilu Agrawal, J)

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