

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36304 of 2016

Arising Out of PS.Case No. -75 Year- 2015 Thana -MUZFFARPUR GRP CASE District-
MUZAFFARPUR

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1. Munni Lal Sahni S/o Sri Satrugan Sahni Resident of Village-
Sangrampur, P.S.- Sangrampur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-10-2016

The petitioner is languishing in custody since 02.04.2016 in a case registered for the offences punishable under Sections 328, 307, 379, 411, 34 of the Indian Penal Code and Sections 8/22 of the Narcotic Drugs & Psychotropic Substances Act.

The prosecution case is that the informant got down from Bihar Sampark Kranti Express on 07.12.2015 at 8:00 P.M at Muzaffarpur railway station but due to non-availability of transport he stayed at the platform when four persons approached him and gave tea with some intoxicant. Subsequently, when the informant regained consciousness he found himself at Muzaffarpur Sadar hospital. Out of four persons one person was apprehended who disclosed his name as Prabhu Sah who also disclosed the names of his accomplice as the petitioner and co-accused Md. Hazi Ansari @ Hazi Miya

Anshari and Ramesh Sah @ Ramesh Sah.

It is submitted by learned counsel for the petitioner that except confession of the co-accused, no evidence has been collected against the petitioner. Though from the apprehended accused person 21 sedative pills were recovered. The investigation has already concluded.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the fact that recovery has not been made from the petitioner and petitioner having no criminal antecedent, let the petitioner, above named, 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 Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Muzaffarpur Rail P.S. Case No. 75 of 2015.

Learned Court below will be at liberty to cancel the bail bonds of the petitioner, if the petitioner gets substantially involved in similar nature of offence or defaults for three consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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