

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50771 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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BHAIRAV SAH @ BHAIRO SAH, son of Parikshan Sah, resident of
village-Parsa, Police Station-Dhaka, District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate

For the Opposite Party : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-11-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in custody since 05.03.2016 in
connection with Dhaka P.S.Case No.50 of 2016 for offence
alleged under Sections 457, 380, 411 and 414/34 of the IPC.

The prosecution case is that the petitioner was
apprehended while he was trying to flee away with the stolen bag
and motorcycle after committing theft in the house of the
informant and named other co-accused. The stolen articles were
recovered and seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid case. It is further submitted that the petitioner has been
implicated due to dirty village politics.

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

From perusal of materials on record, it appears that chargesheet has already been submitted and the petitioner's release from custody would not adversely affect his trial. Thus, in the interest of justice and considering the period of custody, let the above named petitioner 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 SDJM, Sikrahana at Dhaka, East Champaran in connection with Dhaka P.S.Case No.50 of 2016/Trial No.3889 of 2016.

It is further made clear that this direction for bail is further subject to the condition that the petitioner will not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application stands allowed.

(Nilu Agrawal, J)

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