

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47915 of 2015

Arising Out of PS.Case No. -50 Year- 2007 Thana -RIGA District- SITAMARHI

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1. Devendra Sahni @ Ratnakar Ji Son of Late Ram Chandra Sahni, resident of village - Aura Malikana, Police Station - Tariyani, District - Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

7 04-05-2016

Supplementary affidavit has been filed disclosing further criminal antecedent of the petitioner. Let it be kept on the record.

Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 302, 307, 324, 395 and 427 of the I.P.C, section 27 of the Arms Act, section 3/4 of the Explosive Substance Act and sections 17 and 18 of the Criminal Law Amendment Act.

The petitioner is not named in the First Information Report. The name of the petitioner transpires in the confessional statement of co-accused Gauri Shankar Jha which is evident from the impugned order and that Gauri Shankar Jha has already been

allowed bail vide Cr. Misc. No. 36431 of 2008. The petitioner is in custody since 08.08.2014.

The learned A.P.P. submits that the petitioner has got criminal antecedent and further some of the witnesses have seen the petitioner armed with gun on the date of occurrence near the place of occurrence which has come in the supplementary case diary in paragraphs- 58 and 75 but after lapse of more than seven years.

In the facts and circumstances as stated above, considering that other co-accused have been allowed bail and as such the petitioner is also directed to 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 C.J.M. Sitamarhi in Riga P.S. Case No. 50 of 2007, subject to the conditions that one of the bailors must be a 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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