

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42864 of 2016

Arising out of P.S. Case No. -27 Year- 2010 Thana -
SHYAMPUR BHATHA District- SHEOHAR

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Ram Babu Sahni @ Bidhayak Jee @ Dhiraj Jee, Son of Methur Sahni, Resident of Village- Aura Malikana, P.S.- Tariyani, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Alok Kumar Alok, Adv.
: Mr. Hans Lal Kumar, Adv.

For the Opposite Party/s: Mr. Braj Kishore Prasad, APP.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

02. 17.10.2016

Heard learned counsel for the petitioner and the State.

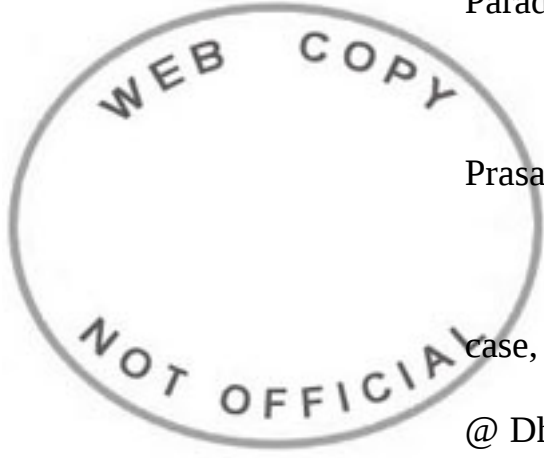
The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 427, 436, 307, 302 and 120(B) of the Indian Penal Code, Section 27 of the Arms Act, Sections 3/4 of the Explosive Substance Act and Section 17 C.L.A. Act.

It is contended on behalf of the petitioner that he is not named in the First Information Report and he has been implicated on the basis of the confessional statement of co-accused, Anurag Vishwakarma who has been granted bail by a Co-ordinate Bench of this Court vide Annexure-2. That apart, it

is submitted that he has not been put on Test Identification Parade.

However, learned counsel for the State, Mr Braj Kishore Prasad submits that he is accused in six cases.

Having regard to the facts and circumstances of the case, the petitioner, namely, Ram Babu Sahni @ Bidhayak Jee @ Dhiraj Jee is directed to be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sub-divisional Judicial Magistrate, Sheohar in connection with Shyampur Bhataha P.S. Case No. 27 of 2010 subject to the condition that one of the bailors must be a close relative or family member of the petitioner who shall file affidavit before the concerned court giving complete genealogy to show his/her relationship with him and the other bailor shall be the father of the petitioner. Further, if the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds. Further, the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown,



the court concerned would be at liberty to take steps for cancellation of his bail bonds.

That apart, in view of the antecedents of the petitioner, he would be required to appear before the Superintendent of Police, Sheohar within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J.)

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