

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35526 of 2016

Arising Out of PS.Case No. -131 Year- 2015 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

Dina Sahani @ Deena Sahani, Son of late Bipat Sahani, resident of Village-
Jhakhya, P.S. Banjariya, Dist East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Dr. Indivar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 08.03.2016
in connection with Piprakothi P.S. Case No. 131 of 2015 for the
offences instituted under Section 398 of the IPC.

The prosecution story, in brief, is that the informant
being the driver of the vehicle was waiting for passengers near
Gopalganj. In the meantime, one lady and gents came to go for
Piprakothi for which Rs. 1500 as fare was fixed. On arriving at
Piprakothi, two accused out of three, put the Katta on the ear and
stomach of the informant. On alarm, people of vicinity came there,
and one Shushila Devi was apprehended by the villagers. She also

disclosed other persons who succeeded in fleeing away as this petitioner, Shambhu Sah and Tarkeshwar Sharma. Clothes, medicines and injection were also recovered from the bag of Shushila Devi.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.03.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has been made accused in the present case on the basis of name disclosed by the co-accused who was apprehended on the spot. The petitioner was not apprehended on the spot. No T.I. Parade has been conducted to ascertain the implication of the petitioner in the present case. There is no recovery from possession of the petitioner. It is further submitted that the petitioner may be released on bail after completion of one year in custody from 08.03.2016.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. and as many as 12 cases are pending against him.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of one year in custody from 08.03.2016 on furnishing bail bond of

Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari in connection with Piprakothi P.S. Case No. 131 of 2015.

U.K./-

(Sudhir Singh, J)

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