

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31451 of 2016

Arising Out of PS.Case No. -99 Year- 2016 Thana -MOTIPUR District- MUZAFFARPUR

Sadai Sahni S/o Shiv Mangal Sahni, resident of Village- Nariyar Nawada,
P.S.- Motipur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shashi Bhushan Singh, Adv.

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 24-08-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 324, 376, 511 and 34 of the Indian Penal Code registered in connection with Motipur P.S. Case No. 99 of 2016.

3. It is submitted that the petitioner has been falsely implicated and in any event, even according to the averments in the FIR, the petitioner is attributed only to assault with *lathi*, *danda* and the ingredients of Section 376 of the Indian Penal Code are not made out against the petitioner.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Muzaffarpur (West) in connection with Motipur P.S. Case No. 99 of 2016, (G.R. No. 813/2016), subject to the conditions as laid down under Section

438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iii) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/BT

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