

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43468 of 2016

Arising Out of PS.Case No. -49 Year- 1996 Thana -LAKHISARAI District- LAKHISARAI

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Goga Sahni @ Gonga Sahni @ Gogo Sahni son of Late Sobaran Sahni
resident of Balgudar, P.S.- Lakhisarai, District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 24.08.2015 in connection with Sessions Trial No. 222A of 1998 arising out of Lakhisarai P.S. Case No. 49 of 1996 for the offences alleged under Section 364 of the Indian Penal Code.

3. The petitioner was earlier granted bail by learned Additional District and Sessions Judge, Lakhisarai on 16.09.1996 and continued to abide by the terms and conditions of the aforesaid order but subsequently under wrong advice, he left the State to earn his livelihood which led to cancellation of his bail bond on 15.09.2004. The petitioner has since been arrested on 24.08.2015 on return to his village and only then he came to know that he had been declared absconder.

4. It is submitted that the petitioner has been falsely implicated on mere suspicion and no specific overt act has been attributed to him. The petitioner claims clean antecedents.

5. Having regard to the entirety of the facts and circumstances of the case and in the interest of justice, let the petitioner above named 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 3rd Additional District and Sessions Judge, Lakhisarai, in connection with Sessions Trial No. 222A of 1998 arising out of Lakhisarai P.S. Case No. 49 of 1996, with the following conditions -

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

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

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

B.T/Chandran

(Vikash Jain, J)

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