

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33215 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Bhagirath Sahani S/o Late Ganesh Sahani, Resident of Village-Nandpur,
P.S.- Motihari Muffasil, District-East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Raj Kishore Prasad, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 23-08-2016 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner is in custody since 11.04.2016 in connection with Motihari Muffasil P.S. Case No. 30 of 2016 for the offences alleged under Sections 401 and 414 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and no recovery has been made from the conscious possession of the petitioner. There is also no material to show that any FIR was instituted for the theft of goods in question. Accusation is general and omnibus against all the accused persons. Similarly situated co-accused Sri Bhagwan Sahani has been granted bail by this Court in Cr. Misc. No. 25159 of 2016.

4. Having regard to the entirety of the facts and circumstances of the case, 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Muffasil P.S. Case No. 30 of 2016 with the following conditions:

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

(ii) That the petitioner shall not indulge in any similar offence.

(iii) That 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/Chandran

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