

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52554 of 2016

Arising Out of PS.Case No. -41 Year- 2014 Thana -SONBERSA RAJ District- SAHARSA

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Rajiv Sah S/o Maheshwari Sah, resident of Village - Sukhsani, P.S. Uda-Kishunganj, District - Madhepura, at present village Sukhasani (Barahi), O.P - Kash Nagar, P.S. - Sonbarsa Raj, District - Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Parmeshwar Mehta, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 09.09.2016 in connection with Sonbarsa Raj (Kash Nagar) P.S. Case No. 41 of 2014 for the offences alleged under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated merely on suspicion and there is no eye witness to the alleged occurrence. Similarly situated co-accused Jhakas Mehta @ Amrendra Mehta has been granted bail in B.A. No. 600 of 2016 and Rabin Yadav @ Ravindra Yadav has been granted bail by this Court in Cr. Misc. No. 38636 of 2015 while two other co-accused persons namely Nirmal Yadav and Salen Kumar @ Salen Yadav have been acquitted in Sessions Trial No. 2435 of 2014.

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 Judicial Magistrate, Ist Class, Saharsa, in connection with



Sonbarsa Raj (Kash Nagar) P.S. Case No. 41 of 2014, on 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 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.

(Vikash Jain, J)

Md. Ibrarul/BT

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