

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51922 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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Ganesh Sahni @ Ganeshi Sahni S/o Rajendra Sahni, R/o Village-
Chaksikandar, P.S.- Tajpur, District- Samastipur. Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Biswajit Kumar, Adv.

Mr. Sunil Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner is in custody since 01.05.2017
on his remand in connection with the present case after
having been arrested on 25.03.2017 in connection with
Tajpur P.S. Case No. 82 of 2017.

Learned counsel for the petitioner submits
that the petitioner is not named in the first information report
and only on the basis of the suspicion and his antecedent, the
name of the petitioner has been brought in connection with
the present case. There is no material, save and except, his
antecedents for naming him in connection with the present
case and the police ought not to keep him behind the bar.

Considering the aforesaid facts and
circumstances of the case and that the confession of the
petitioner made before the police cannot be used against him
as the same has no evidentiary value, let the petitioner,



above, named be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Samastipur in connection with Tajpur P.S. Case No. 46 of 2017, subject to the following conditions :-

(1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

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

(4) The petitioner shall co-operate with the investigation, if not already concluded, 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.

(Anjana Mishra, J)

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