

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17918 of 2017

Arising Out of PS.Case No. -228 Year- 2010 Thana -SARAIYA District- MUZAFFARPUR

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Binod Sahni, son of Late Santlal Sahani, resident of Village- Dharphari,
P.S. Deoriya, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Ranjan, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 04.02.2017 in connection with Saraiya P.S. Case No. 228 of 2010 for the offences alleged under Section 414 of the Indian Penal Code and Section 25(1-b)A/26/35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated merely on suspicion. Except the confessional statement of co-accused persons who were arrested at the spot, there is no other material to connect the petitioner with the alleged offence. No recovery of any incriminating articles has been made from the conscious possession of the petitioner. All three co-accused who were arrested at the spot have been granted bail by this Court

4. Be that as it may, 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, Muzaffarpur, in connection with Saraiya P.S. Case No. 228 of 2010, 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 on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate 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.

(Vikash Jain, J)

Md. Ibrarul/psc

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