

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23203 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -SAHARGHAT District- MADHUBANI

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Shibu Sahani, Son of Rakindra Sahani, Resident of Village- Sarsand, P.S.
Sarsand, District Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
Mr. Vinod Kumar, Advocate
Ms. Kusum Rani, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
24.03.2017 in connection with Saharghat P.S. Case No. 02/17 for
offences punishable under Sections 457, 380 of the Indian Penal
Code.

The prosecution case is that the informant went
out of his house and while on returning back he found the lock to
be broken and other documents and mobile found to have been
stolen.

It has been submitted by the learned counsel for
the petitioner that he is innocent and has falsely been implicated in



the aforesaid case only on the basis of his confessional statement that the stolen articles were recovered from the possession of the other co-accused. It is submitted that no stolen article has been recovered from his possession and just because he has a past criminal history that he has been made accused in the present case.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Benipatti, Madhubani, in connection with Saharghat P.S. Case No. 02/17, subject to the condition that the petitioner will file an affidavit before the court below stating therein that he will not indulge in an offence of similar nature in future, failing which the learned court below will be at liberty to cancel his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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