

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24939 of 2017

Arising Out of PS.Case No. -251 Year- 2016 Thana -KOTWALI District- MUNGER

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Santosh Sahni @ Santosh Kumar, Son of Rajesh Sahni, Resident of
Chandisthan, Police Station- Kotwali, District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surya Narayan Sah, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.09.2016 in
connection with Kotwali P.S. Case No. 251 of 2016 for the alleged
offences under Sections 385 and 387 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion and he is not named in the F.I.R.
rather the thrust of suspicion has been raised by the informant
against Prashant Baba. It is submitted that except the extra judicial
confessional statement, there is no other material against the
petitioner to connect him with the alleged occurrence. Similarly
situated co-accused Bablu Bind and Kamal Rai @ Kamaliya have
been granted bail by this Court in Cr. Misc. No. 53305 of 2016 and
Cr. Misc. No. 23956 of 2017 respectively. It is further submitted



that charge sheet has already been submitted and as such there is no chance of tampering with the evidence.

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, Munger in connection with Kotwali P.S. Case No. 251 of 2016 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.

(Vikash Jain, J)

Md. Ibrarul/-

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