

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27915 of 2017

Arising Out of PS. Case No. -56 Year- 2017 Thana -KASIMBAZAR District- MUNGER

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Firoz Sahni, son of Late Kamli Sahni, resident of Mohalla Lallu Pokhar,
P.S. Kasim Bazar, District Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Indu Bhushan, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

5 10-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 19.03.2017 in connection with Kasim Bazar P.S. Case No. 56 of 2017 for the offences alleged under Sections 323, 353, 307, 504/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and no specific assault has been attributed to the petitioner as the allegations are general and omnibus. It is submitted that the informant himself in course of his deposition before the trial court has fairly stated that he did not recognize the accused persons whose names he had given in the complaint on hear-say. The petitioner is on bail in all the eight cases in which he had been made accused except Kasim Bazar P.S. Case No. 182 of 2012 in which final form has been submitted. The report of the Superintendent of Police, Munger dated 28.07.2017 contains details of four other cases in which the petitioner is said to have been accused, in which the petitioner claims to have been acquitted.

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 Kasim Bazar P.S. Case No. 56 of 2017 with the following conditions:

(i) That the petitioner satisfies the learned court below that he has been acquitted in (i) Kasim Bazar P.S. Case No. 121 of 2003; (ii) Kasim Bazar P.S. Case No. 325 of 2003; (iii) Kasim Bazar P.S. Case No. 546 of 2003; and (v) Kasim Bazar P.S. Case No. 109 of 2004;

(ii) That one of the bailors shall be a close relative of the petitioner.

(iii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iv) 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.

(v) 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)

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