

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1422 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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Sharma Sahani, son of Prabhu Sahani, resident of Village- Khairi, Police
Station- Pipra, District- East Champaran at Motihari.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Dr. Amrendra Kumar, Adv.
For the Respondent/s : Smt Usha Kumari No-1, Spl, PP.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-07-2017 This appeal is for grant of regular bail in connection
with Pipra P.S. Case No. 41 of 2017 registered for the offence
under section(s) 366(A), 364, 120(B)/34 of the Indian Penal Code
and section(s) 3 (xi) of the SC/ST (POA) Act.

Submission of the learned counsel for the appellant is
that the statement of the girl recorded under section 164 of the
Criminal Procedure Code itself shows that she had gone with the
co-accused on her own sweet will and no allegation has been
levelled against the appellant and he is in custody since 22nd
March 2017.

Heard learned Special Public Prosecutor also.

Having heard both sides and in view of the facts and
circumstances, as stated above, this appeal is allowed and the



impugned order is set aside.

Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Motihari, East Champaran in connection with Pipra P.S. Case No. 41 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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