

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2257 of 2017

Arising Out of PS.Case No. -181 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

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1. Kheharu Sahni Son of Gulabi Sahni, R/o Village- Maniyari , P.S.-
Majorganj, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-08-2017

Heard the parties.

The appellant seeks regular bail in connection with Majorganj P.S.Case no.181 of 2015 registered for offences punishable under Sections 364(A, 120B, 323 of the Indian Penal Code and Section 3(vi) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellant is that he has taken the son of the informant on the plea of providing job at Gujarat and thereafter they came back from Gujarat and the son of the informant did not return and she enquired about the same but no positive answer was given and when she repeatedly enquired about the same, they abused her and threatened her.

Submission of the learned counsel for the appellant is



that except suspicion there is nothing against the appellant and he is in custody for about 5 ½ months.

Heard learned Special P.P. also.

Having heard both sides and in view of the fact that except suspicion, there is nothing against the appellant, as such, this appeal is allowed.

Let the appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.D.J.-I-cum-Special Judge (SC./ST Act), Sitamarhi in connection with Majorganj P.S.Case no.181 of 2015 after setting aside order dated 20.6.2017 passed by the learned ADJ-I-cum-Special Judge (SC/ST Act), Sitamarhi in B.P.No.896/17/114/17 in Majorganj P.S.Case no.181 of 2015, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be 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 co-operate in the disposal of trial and make himself available as and when required by the court concerned and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bond.
- (iv) The appellant will also assist the police whenever his assistance is required in searching out



the son of the informant in this case.

(Vinod Kumar Sinha, J)

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