

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51583 of 2017

Arising Out of PS.Case No. -217 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Loha Sahani, Son of Late Chhathu Sahani, Resident of Village-
Tharghatwa, P.S. Muffasil Motihari, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-11-2017 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is in custody since 30.07.2017 in connection with Muffasil P.S. Case No. 217 of 2017 for the alleged offences under Sections 363 and 366(A) of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated owing to enmity and land dispute between the parties. The petitioner is a next door neighbour of the informant, but the victim has not named him in her deposition under Section 164 Cr. P.C. wherein specific accusation has been made against co-accused Shailendra. There is five days delay in institution of the FIR on 02.05.2017 for the alleged occurrence of 27.04.2017. The petitioner claims clean antecedents.

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 C.J.M., Motihari, East Champaran, in connection with



Muffasil P.S. Case No. 217 of 2017 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 co-operate 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.

(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.

(Vikash Jain, J)

Chandran/BT

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