

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55263 of 2017

Arising Out of PS. Case No.-70 Year-2017 Thana- KOTWA District- East Champaran

Jitendra Sahani, son of Laxmi Sahani, resident of village-Madhubani Ghat,
P.S. Muffasil, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 16-11-2017 Heard Smt. Rashmi Jha, learned counsel for the petitioner
and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 19.07.2017 in Kotwa P.S. Case No.70 of 2017 registered for the offence under Section 392 of the Indian Penal Code, has prayed for grant of bail.

By way of referring to the F.I.R., learned counsel for the petitioner submits that F.I.R. in the present case was lodged against unknown, however since the petitioner was earlier made accused in Harsidhi P.S. Case No.204 of 2017 registered for the offence under Section 392 of the Indian Penal Code and he was allowed bail by the court below, maliciously the police remanded the petitioner in other two cases, which includes the present case. By way of referring to the statement made in



paragraph-3 of the petition, it has been argued that after bail was granted in Harsidhi P.S. Case No.204/2017, the petitioner was remanded in Kotwa P.S. Case No.75/2017 as well as in the present case i.e. Kotwa P.S. Case No.70 of 2017. It has been argued that it is an example of high-handedness of the police regarding false implication of the innocent person.

Considering the F.I.R. as well as the statement made in paragraph-3 of the petition, let the petitioner, namely, Jitendra Sahani be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 10th Addl. Chief Judicial Magistrate, East Champaran at Motihari in connection with Kotwa P.S. Case No.70/2017.

(Rakesh Kumar, J)

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