

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33648 of 2017

Arising Out of PS.Case No. -91 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Banarsi Sah Son of late Baldeo Sah, Resident of Mohalla- Teliya Patti
Gyan Babu Chowk, P.S.- Motihari Town, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-07-2017

Heard the parties.

The petitioner is apprehending his arrest in connection with Motihari Town P.S.Case No.91 of 2017, registered for offences punishable under Sections 457 and 379 of the Indian Penal Code.

Allegation against the petitioner is that the stolen articles were kept in his shop, as such he has been made accused in this case.

Submission of the learned counsel for the petitioner is that he has no criminal antecedent and he is running the '*Kawari shop*' and further submission is that there is nothing available on record to show that the petitioner has purchased the stolen articles.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above that let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., East Champaran at Motihari in connection with Motihari Town P.S.Case no.91 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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