

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31928 of 2017

Arising Out of PS.Case No. -151 Year- 2016 Thana -GAYGHAT District- MUZAFFARPUR

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Umesh Sahani, son of Late Nabab Sahani, r/o. vill. Fular, P.S. Mahua,
District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Adv

For the Opposite Party/s APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 06.12.2016 in connection with Gaighat P.S. Case No. 151 of 2016 for the alleged offences under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the First Information Report is against 4 or 5 unknown persons. The petitioner's name has surfaced on the extra judicial confessional statement of co-accused Guddu Singh who has already been granted bail by this Court in Cr. Misc. No. 3844 of 2017. No recovery of any incriminating articles has been made from the possession of the petitioner or test identification parade conducted for his identification.

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 Sri R.K. Roy, learned Judicial Magistrate, Muzaffarpur connection with Gaighat P.S. Case No. 151 of 2016 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 cooperate 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.

Chandran/BT

(Vikash Jain, J)

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