

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35676 of 2017

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1. Lal Babu Sahni @ Bhaskar @ Bhaskar Ji, Son of Sri Mahesh Sahni, resident of Village- Aura, Malikana, Police Station- Tariyani, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-08-2017 The petitioner is in custody since 09.01.2016 in connection with Majorganj P.S. Case No. 282 of 2015, registered for offences punishable under Section 286 of the Indian Penal Code and Sections 4, 5, and 6 of the Explosive Substance Act and 17 of the C.L.A. Act and 17, 18 and 19 of the U.A.P. Act.

It has been submitted on behalf of the petitioner that the petitioner has not been named in the F.I.R. rather his name has surfaced in this case merely on the basis of confessional statement of co-accused, who is said to have been granted bail by a co-ordinate Bench of this Court vide order dated 23.05.2016 passed in Cr. Misc. No. 17026 of 2016, which is evident from Annexure-2. Except confession, there is nothing against the petitioner. As a matter of fact, though the petitioner has been made accused in other five cases, but out five, in three cases, the petitioner has already been acquitted and he has been rotting in custody for more than four months.



Heard learned A.P.P. also.

Having heard both the sides, considering the facts and circumstances of the case, as stated above, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st Class, Sitamarhi in connection with Majorganj P.S. Case No. 282 of 2015, with following conditions:-

- (i) One of the bailors of the petitioner shall be a 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 cooperate in the disposal of trial and make himself available as and when required by the court 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 bonds.

(Vinod Kumar Sinha, J)

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