

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3973 of 2017

Arising Out of PS.Case No. -201 Year- 2016 Thana -GAYGHAT District- MUZAFFARPUR

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Chandan Kumar Sahni, S/o Sitaram Sahani, Resident of village-Bochahan,
P.S.-Bochahan, District-Muzaffarpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 28-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Gayghat P.S.
Case No. 201 of 2016 registered for the offence punishable under
Section 394 of the Indian Penal Code.

The petitioner is not named in the first information report
which is against four unknown miscreants. During investigation
the name of the petitioner transpired in the confessional statement
of co-accused Vivek Kumar and further the petitioner also
confessed his guilt.

Submission is of false implication and that the petitioner
is in custody since 16.11.2016 but he has not been put on test
identification parade though the informant has claimed to identify
the miscreants after seeing them and only on the basis of
confessional statement he is suffering in custody and as such



he deserves sympathetic consideration.

Learned APP fairly submits that from perusal of the impugned order it reveals that name of the petitioner has come in the confessional statement and the petitioner has also confessed his guilt.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri S. K Rai, J. M. Ist Class, Muzaffarpur in connection with Gayghat P.S. Case No. 201 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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