

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64964 of 2018

Arising Out of PS. Case No.-172 Year-2015 Thana- CHIRAIYA District- East Champaran

Madan Sahani Son of Kapil @ Kapildev Sahni Resident of Village-
Jhitkahiya,P.S. Lakhaura,Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 01-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Chiraiya P.S. Case No. 172 of 2015 registered for the offence punishable under Sections 395, 397 of the Indian Penal Code, 1860 and 27 of Arms Act.

FIR was registered against unknown. Informant has alleged that 15-20 unknown miscreants committed dacoity in his house and looted away Rs. 95,000/-, ornaments and mobile phone.

It has been submitted on behalf of the petitioner that petitioner is not named in the FIR. His name has surfaced in this case on the basis of confessional statement of co-accused Harendra Sahani who has already been granted bail by this Hon'ble Court as contained in Annexure-2 series. Nothing has



been recovered from his possession and he has not been put on T.I.P. It has been further submitted that other co-accused, namely, Mishrilal Sahani and Hira Lal Mahto have been granted bail by this Hon'ble Court as contained in Annexure-2 series. Petitioner has no criminal antecedent and he is in custody since 20.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran, in connection with Chiraiya P.S. Case No. 172 of 2015 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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