

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22107 of 2018

Arising Out of PS.Case No. -87 Year- 2016 Thana -KALUAHI District- MADHUBANI

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Lallan Sahani @ Bhathna, Son of Narayan Sahani, Resident of Village-
Dhanga East, P.S. Arer, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is in custody since 12.08.2017 in
connection with Kaluahahi P.S. Case No. 87 of 2016 for the alleged
offences under Section 379 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion and only because the petitioner has
some criminal antecedents. The petitioner has not been put on test
identification parade for his identification nor any incriminating
articles have been recovered from his conscious possession.
Despite availability of CCTV camera at the place of occurrence there
is no footage to show the petitioner's involvement in the
occurrence. Except the petitioner's self confession extracted by the
police, there is no other material to connect the petitioner with the
alleged occurrence.

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 Mr. M. Dubey, learned J.M. Ist, Madhubani in connection with Kaluahi P.S. Case No. 87 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 co-operate 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) 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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