

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11775 of 2018

Arising Out of PS.Case No. -492 Year- 2017 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

=====
Chanu Sah @ Chunu Sah S/o late Daroga Sah Resident of Village- Kaswa
Kadamwa P.S.Ghorasahan, District- East Champaran.

..... Petitioner/s
Versus
The State of Bihar

..... Opposite Party/s
=====

Appearance :
For the Petitioner/s : Mr. Sangeet Deokuliar
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 28.09.2017 in connection with Ghorasahan P.S. Case No. 492 of 2017 for the alleged offences under Section 302/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and there is specific accusation against co-accused Madan Sah and Awadhesh Sah who are said to be the main assailants having fired with pistols on the brother of the informant who subsequently died. The accusation of surrounding and assaulting with lathi and danda is general and omnibus and no specific overt act has been attributed to the petitioner. Charge sheet has been submitted by the police and there is no chance of tampering with the evidence. The petitioner claims clean antecedents.

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 learned S.D.J.M., Sikarahana at Dhaka, East Champaran, in connection with Ghorasahan P.S. Case No. 492 of 2017 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 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.

(Vikash Jain, J)

Chandran/BT

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