

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42696 of 2018

Arising Out of PS.Case No. -191 Year- 2017 Thana -PATAHI District- EASTCHAMPARAN
(MOTIHARI)

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Baliram Sahani, Son of Late Anandi Sahani, Resident of Village- Parsauni
Kapoor, P.S.- Patahi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 26-07-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 11.12.2017 in connection with Patahi P.S. Case No.191 of 2017 registered for the offence under Sections 121, 121A, 120B of the Indian Penal Code, Section 25(1-B)a, 25(1-AA), 25(1-AAA), 26, 35 of the Arms Act, Section 3/4 of Explosive Substances Act and Sections 16, 18, 18(A), 18(B), 19, 20 of U.A.P. Act.

Learned counsel for the petitioner submits that on the basis of some information, the petitioner was arrested on suspicion and though nothing has been recovered from his possession and he has not been put on T.I. Parade, yet the petitioner is languishing in jail since 11.12.2017. It is further



submitted that there has been no recovery from the petitioner and the only recovery which has been made as alleged is Rs.11,000/- and the *parcha*, which is said to be connected with the *Maobadi* group and thus it has been alleged that the petitioner is also a *Maobadi*.

Considering the aforementioned facts and circumstances of the case and that co-accused Mustakim @ Mustak Alam @ Muskan has since been granted bail in Cr. Misc. No.28253 of 2018, vide order dated 07.05.2018, and the petitioner is similarly placed, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-8, East Champaran at Motihari, in connection with Patahi P.S. Case No.191 of 2017, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

(Anjana Mishra, J)

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