

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40608 of 2018

Arising Out of PS.Case No. -326 Year- 2017 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sikandar Sahani @ Sikandra Sahani @ Sikander Sahni S/o Ramakant
Sahani, R/o Vill.- Chand Parsa, P.S.- Kesariya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Kesariya P.S.Case no.326 of 2017 , registered for offences
punishable under Sections 147, 149, 452, 341, 323, 379, 504 and
506 of the Indian Penal Code.

Allegation against the petitioner is that several other
persons entered inside the house of the informant and committed
loot-pat and there is allegation against the petitioner that he fired
but it did not hit anybody and the petitioner is accused in one more
case of the Arms Act.

Submission of the learned counsel for the petitioner is that
the FIR itself shows that the firing did not hit anybody and there is
land dispute between the parties.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-11, Motihari, East Champaran in connection with Kesariya P.S.Case No.326 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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