

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42500 of 2019

Arising Out of PS. Case No.-887 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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Ajay Sahani, aged about 28 years, Male Son of Late Suresh Chaudhry
Resident of Bairiyadih, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Asif Kalim, Advocate
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 379, 411 and 34 of the Indian Penal Code
registered in connection with Town P.S. Case No. 887 of 2018.

3. It is submitted that the petitioner has been falsely
implicated only on the basis of the confessional statement of co-
accused Sanjeet Paswan, except which there is no objective material
to connect him with the alleged occurrence. The motor-cycle has
been recovered from the spot itself. It is submitted that Harsidhi P.S.
Case No. 399 of 2017 was lodged against the petitioner earlier in
which he was made accused of theft of the motor-cycle which is his
own property and has since been released in his favour. With regard
to the other case in Govindganj P.S. Case No. 269 of 2017 in which
the petitioner has been made accused, he is on bail.

4. Be that as it may, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Town P.S. Case No. 887 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and with further 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.

(iv) That the petitioner shall cooperate 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.

(Vikash Jain, J)

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