

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50273 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

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Nawab Sahani, aged about 70 years, Gender-Male, Son of Late Juthan Sahani
Resident of Village - Sri Krishna Nagar,. P.S.- Twon Motihari, Dist.- East
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 06-11-2019 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned Additional Public
Prosecutor for the State and perused the case diary.

The petitioner is in custody in connection with
Motihari Town P.S.Case No.24 of 2019 registered for an offence
under Sections 341, 323, 324, 307, 379, 504, 506 and 509/34 of
the Indian Penal Code and Section.

As per prosecution case, the petitioner is alleged to
have given *Dabiya* blow on the head of the father of the
informant as a result of which he caused injury and also
snatched money of Rs.80,000/- from the pocket of the victim.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case with ulterior



motive to grab the money of the petitioner which has been dues against the informant and his family members for consideration amount of the land. It is also submitted that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court in Cr.Misc.No.27452 of 2019 dated 29.07.2019, chargesheet has already been submitted and petitioner is in custody since 19.03.2019.

However, learned counsel for the informant as well as learned Additional Public Prosecutor opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Motihari Town P.S.Case No.24 of 2019 with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tamper with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

B.Kr./-

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