

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77972 of 2018

Arising Out of PS. Case No.-172 Year-2018 Thana- KESARIA District- East Champaran

Pawan Sahani S/o Late Ramayan Sahani, R/o Vill.- Tukulia, P.S.- Pipra,
District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Shanker Prasad, Adv.

For the Opposite Party/s : Mr.Sri Jagdhar Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Kesariya P.S. Case No. 172 of 2018 registered for the offences punishable under Section 392 of the Indian Penal Code.

Petitioner is not named in the FIR. His name has surfaced in this case on the basis of confessional statement of co-accused Dinanath Sahani. Nothing has been recovered from his possession and he has not been put on T.I.P. Petitioner has been falsely implicated in this case due to highhandedness of the police. Similarly placed co-accused has been granted bail by this court passed in Cr. Misc. No. 65823 of 2018 vide order dated 31.10.2018. Petitioner is in custody since 04.10.2018.



Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Kesariya P.S. Case No. 172 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate 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 Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers 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.

(S. Kumar, J)

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