

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37485 of 2021

Arising Out of PS. Case No.-53 Year-2021 Thana- KATRA District- Muzaffarpur

Fuleshwar Sahni S/O Late Ram Ashish Sahni R/O Village And P.S-Katra,
District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Dr. Kumar Uday, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 14-12-2021 The applicant/accused in Crime No. 53 of 2021 registered with Katra Police Station for the offences punishable under Sections 272 and 273 of the Indian Penal Code as well as Sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act, by this application is seeking his release on bail after filing of the charge sheet.

Heard both sides.

I have considered the submissions so advanced and also perused the materials placed before me.

It is reported that co-accused Banshlal Sahani, who was arrested in the same offence with similar allegations is directed to be released on bail by a coordinate Bench of this Court vide order dated 10.09.2021 passed in Criminal Misc. No. 35552 of 2021.



Perused the said order. Case of the applicant is similar to that of the co-accused namely Banshlal Sahani, who is directed to be released on bail by coordinate bench of this court. The applicant is undergoing pretrial detention from March, 2021. In this view of the matter, further pretrial detention of the applicant is not warranted and hence, the order:-

i. The application is allowed.

ii. The applicant/accused in Crime No. 53 of 2021 registered with Katra Police Station for the offences punishable under Sections 272 and 273 of the Indian Penal Code as well as Sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.



(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

Bhardwaj/-

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