

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46384 of 2012

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Bajrangi Sahani, son of Kallu Sahani @ Kallu Chaudhary, resident of
Mohalla Bampar Tola, Nariyalghat, Takiapar, P.S.Danapur, District Ptna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL ORDER

2 19-12-2012

In a criminal prosecution, registered under Section 392 of the Indian Penal Code, admittedly the petitioner is not named in the F.I.R.

It is contended that till date the petitioner has not been put on the T.I. Parade and no incriminating article has been recovered either from his house or from his possession. It is highlighted that the petitioner has been remanded in the present case merely on suspicion on 29.12.2010 i.e. almost two years.

Learned Additional Public Prosecutor appearing on behalf of the State of Bihar pointed out that several criminal cases are pending against the petitioner.

Be that as it may, in the facts and circumstances, particularly taking into consideration the period of incarceration of the petitioner in judicial custody, the prayer for bail is allowed. The above named petitioner is directed to be released on bail on

furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each in connection with Patliputra P.S.Case No.195 of 2010 to the satisfaction of Sri Anil Kumar Ram, learned Judicial Magistrate, Ist Class, Patna, subject to the conditions that :-

(a) That both the bailors shall be the parents of the petitioner, who shall give their undertakings that the petitioner shall be produced on each and every date before the learned trial court during the course of trial,

(b) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

(c) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Kanth/-