

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1270 of 2013

=====

Subhash Sahani @ Subash Sahani, son of Vishwambhar Sahani, r/o village-Sundrapur, P.S.-Kesariya, District- East Champaran at Motihari.

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

=====


CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 31-01-2013

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the offence under Section(s) 366-A/34 Indian Penal Code.

Considering the statement of the alleged victim recorded under Section 164 Cr. P. C., let the Petitioner, above named, be released on bail on furnishing bail bond of Rs.5,000/- (Five Thousand) with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, in connection with Kesariya P.S. Case No.108 of 2012, subject to the conditions (i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner, (ii) That the petitioner will give an undertaking that



he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, and (iii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

The Magistrate is directed to immediately commit the case to the Court of Sessions and Trial Court thereafter will pass appropriate order as to whether any offence is made out in view of the statement and age of the alleged victim recorded under Section 164 Cr. P. C.

JA/-

(Anjana Prakash, J)