

Patna High Court - Orders

Pappu Sahani vs The State Of Bihar on 26 August, 2011

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28080 of 2011

1. Pappu Sahani S/O Dudhnath Sahani R/O Vill.
Chandiasthan, P.S. Bagaha, Distt. West Champaran.

Versus

1. The State Of Bihar.

02. 26.08.2011 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Section 414 of the Indian Penal Code.

Considering that the petitioner is a bona fide purchaser of the stolen motorcycle and is in custody since 07.03.2011 and there is no previous history of similar kind of offence, 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 as fixed by the Court to the satisfaction of Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 308 of 2010 subject to the following 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 and the other bailor shall be the brother of the petitioner namely Raju Kumar Sahani. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner. (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case of similar nature and if he is he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) 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. (v) 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.

(Anjana Prakash, J.) Vikash/-