

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17578 of 2016

Arising out of PS.Case No. -72 Year- 2014 Thana -PUSA District- SAMASTIPUR

RAVINDRA SAHNI, Son of Moti Lal Shani, resident of Village - Suratpur (Chhatauna), P.S. - Samastipur Muffasil, District - Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party : Mr. Dr. Kr.Uday Pratap (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 05.09.2014 in connection with S.T. No. 281 of 2015, arising out of Pusa P.S. Case No. 72 of 2014 for the offences instituted under Sections 395 and 397 of the IPC.

The prosecution story, in brief, is that on 09.06.2014 at about 7.15 P.M., the informant alongwith Vinod Sah and Anil Sah proceeded on his Honda Motorcycle from his jewellery shop situated at Bhuskoul Chowk. It is further alleged that as soon as they reached near Dhoovgama, eight persons on four motorcycles dashed the motorcycle of the informant as a result the informant

fell down they started assaulting by means of *Butt* of pistol and in that course they have snatched Rs. 30,000/- and another belongings mobile from possession of the informant and from his staff and thereafter fled away alongwith the motorcycle. The informant could not identify the culprits due to darkness, however, the informant has given the descriptions of the accused persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.09.2014 and the charge sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case on the basis of confessional statement of the co-accused Rajesh Sahani and Birju Sahani. There is no recovery of any incriminating article from possession of the petitioner. No T.I.P. has been conducted to ascertain the involvement of the petitioner. The other co-accused have been granted bail by this Court vide Annecures-2 and 2/1 to the present application.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions

Judge-4th, Samastipur, in connection with S.T. No. 281 of 2015,
arising out of Pusa P.S. Case No. 72 of 2014.

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(Sudhir Singh, J)

