

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11097 of 2016

Arising Out of PS.Case No. -210 Year- 2015 Thana -SIDHWARA District- DARBHANGA

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1. Chandan Sahni Son of Baidyanath Sahni Resident of Village-Agyaspur
PS Singhwara District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha

For the Opposite Party/s : Mr. Jitendra Kr.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 29-04-2016

Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 400, 413, 414, 420, 467, 468, 471 and 120 B of the I.P.C

The name of the petitioner transpires in the confessional statement of co-accused Surendra Bhagat who was apprehended with two mobiles and thereafter the petitioner was arrested and on his confessional statement ornaments and the ATM Card were recovered which was the subject matter of Simri P.S. Case No. 145 of 2015 and the petitioner disclosed that he used to sell the stolen ornaments to Ranjan Thakur.

Submission is of false implication and that nothing has been recovered from conscious possession of the petitioner,

without any legal and tangible material the petitioner is suffering in custody since 29.11.2015, other co-accused Ranjan Thakur and Ajay Sahani have already been allowed bail by another coordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the ATM card and the ornaments of Simri P.S. Case No. 145 of 2015 were recovered from possession of the petitioner and further from the footage of C.C.T.V. of the ATM the petitioner and one Ajay Sahani have been identified while withdrawing the cash from the ATM.

In the facts and circumstances as stated above, the petitioner shall be released on bail, **after completion of six months in custody**, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Darbhanga in Singhwara P.S. Case No. 210 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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