

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48878 of 2015

Arising Out of PS.Case No. -93 Year- 2014 Thana -BANGRA District- SAMASTIPUR

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Vikram Sahni S/o Dev Nandan Sahni

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Ram Chandra Sahni(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-03-2016 Heard learned counsels for the petitioner and the

State.

The petitioner, who is languishing in custody since 29.08.2014 has renewed his prayer for bail in a case registered for the offences punishable under section 395 of the Indian Penal Code latter section 412, 120B IPC was also added.

Earlier petitioner's prayer for bail was rejected by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.4570/2015 but since the Bench, who passed the earlier order, is not available due to medical exigency, the matter has been listed before this Court in view of the administrative order dated 09.03.2016 of Hon'ble the Acting Chief Justice.

Prosecution case is that on 21.08.2014, the petitioner being driver of the truck was carrying grocery items

from Jharkhand to Bhagalpur when after sedating the driver and the cleaner the truck was robbed, leading to registration of FIR against unknown. The name of the petitioner sprang up in the confession of co-accused Md. Taiyab and Md. Eqbal to the effect that the robbed articles are kept in the shop of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner let out the shop, in question, to one Sunil Sahni and the petitioner is the owner of the building, in question, hence, he has been roped in the present case. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. Moreover, co-accused Suresh Sah, from whose possession some of the robbed articles were recovered, has been granted bail, vide Criminal Miscellaneous No. 51325 of 2014.

The report of learned CJM, Samastipur, received through letter no.8/16 dated 7.1.2016, reflects that the case has still not committed to the court of seisin.

Keeping in view of the fact that there is no likelihood of the conclusion of the trial and similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court coupled with a statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the

above named petitioner 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 learned Judicial Magistrate, 1st Class, Samastipur, in connection with N.H. Bangra P.S. Case No.93/2014.

Learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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