

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35024 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -PHULWARIA District- BEGUSARAI

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1. Vidya Nand Sahni, S/o Ramashish Sahni, resident of Village- Kumbhi,
P.S.- Cheriya, Bariyarpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 23.03.2017 in
connection with Phulwaria P.S. Case No. 33/2017 for offences
punishable under Section 392 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while the informant was coming on a motorcycle from his
office being posted as field staff, four persons on two motorcycles
followed him and obstructed his way and took away his mobile,
Rs. 1,06,320/- which was the collection amount along with
motorcycle.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent, not named in the First Information Report and nothing has been recovered from his conscious possession and during investigation his name surfaced just because he has a criminal antecedent. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Raghubeer Prasad, learned Judicial Magistrate, 1st Class, Begusarai, in connection with Phulwaria P.S. Case No. 33/2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive



dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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