

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26180 of 2018

Arising Out of PS.Case No. -438 Year- 2015 Thana -SONEPUR District- SARAN

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Lalu Sahani, S/o Sanichar Sahani, R/o Village- Nakhas Chowk, P.O.-
Hajipur, P.S.- Hajipur Town, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sonapur P.S.
Case No. 438 of 2015 for offences punishable under Sections 395,
397 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while she and her family members were sleeping in the room,
5-6 dacoits opened door of the house and took away cash of Rs.
40,000/- and jewellery worth Rs. 1,50,000/-. They pushed the
bedroom and snatched away jewellery from the informant's body
and her sister's body and also took away mobile. They also
committed dacoity in the house of the neighbour.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the F.I.R., no T.I. Parade has been done and no recovery has been made from the possession of the petitioner. He submits that two of the accused on similar allegation have been granted the privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 44628 of 2016 vide order dated 06.10.2016 and Cr. Misc. No. 43052 of 2016 vide order dated 14.12.2016. He submits that charge-sheet has been submitted and he is languishing in judicial custody since more than four months.

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 learned Additional Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No. 438 of 2015, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) 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.

- (3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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