

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56883 of 2018

Arising Out of PS. Case No.-357 Year-2017 Thana- CHANPATIA District- West Champaran

Hoshila Sahani, S/o Late Ramchandra Sahani, resident of Village Ratanmala
Malahi Tola P.S. Bagaha District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-10-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Chanpatia (Sarisia) P.S. Case No. 357 of 2017
registered for the offences punishable under Section 392 of the
Indian Penal Code.

Informant who is the employee of a Firm has
alleged that when he was returning after collecting Rs. 21400/-
in the meantime three miscreants who were standing there,
snatched his money and fled away.

It has been submitted on behalf of the petitioner
that he is innocent and committed no offence. He is neither
named in the F.I.R. nor looted money has been recovered from



his conscious possession and he has not been put on T.I. P. The name of the petitioner has surfaced in this case on confessional statement of other co-accused namely Satrajit Chaudhary @ Ajay Kumar. Petitioner is in custody since 19.05.2018.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of custody the petitioner shall be enlarged on bail by the court below on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bagaha, West Champaran in connection with Chanpatia (Sirisia O.P.) P.S. Case No. 357 of 2017.

With the aforesaid liberty this criminal miscellaneous stands disposed of, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel



his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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