

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15059 of 2018

Arising Out of PS.Case No. -356 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Mithun Sahani, son of Vishunu Sahni, resident of Village Patepur, P.S.
Kartahan, District Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody since
22.07.2017 in connection with Hajipur Sadar P.S. Case No.
356 of 2017 for offences punishable under Sections 379, 406,
420/120-B of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that the petitioner was the driver of his Scorpio car. Informant
gave Rs.20,100/- to the petitioner to give it to his business
partner, but the petitioner did not give it to his business
partner. It is also alleged that while petitioner had got down
from the car on natural call some miscreants had taken away
the said Scorpio car along with money and other documents.

It has been submitted by the learned counsel for the



petitioner that he is innocent, was the driver of the said vehicle and some miscreants had taken the Scorpio car along with the money and other documents but he has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and petitioner is languishing in judicial custody for more than 8 months.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and as many as three cases are pending against him.

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 Judicial Magistrate, 1st Class, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 356/17, subject to the following conditions :

- (i) 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.
- (ii) 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)

Rajesh/-

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