

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8954 of 2019

Arising Out of PS. Case No.-448 Year-2017 Thana- SAKRA District- Muzaffarpur

JITENDER SAHNI Indal Sahni Resident of Village – Sanathi, P.S. Bochaha,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 21-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Sakra P.S. Case No. 448 of 2017 registered for
the offence punishable under Section 392 of the Indian Penal
Code.

Informant is the Chaukidar who in his fardbeyan
has stated that on 19.11.2017 at about 11.30 PM two miscreants
over powered him on the strength of pistol and tied him with a
tree in Lichi orchard and released him in the morning and when
he came at Markan Chowk, he saw that the lock of ATM
machine was broken and ATM machine was taken away by the
miscreants.

It has been submitted on behalf of the petitioner that



petitioner is not named in the FIR. His name has surfaced in this only on the basis of confessional statement made by one Ramu Sahni and nothing has been recovered from his possession. It has been further submitted that similarly placed co-accused, namely Laxman Sahni, Sanjay Sahni, Bhujungi Sahni and Sanjeev Sahni have been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 04.12.2018 passed in Cr. Misc. No. 71183 of 2018 and vide order dated 06.12.2018 passed in Cr. Misc. No. 69741 of 2018 respectively. Petitioner is in custody since 17.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 13th Additional Session Judge, Muzaffarpur, in connection with Sakra P.S. Case No. 448 of 2017 subject to the conditions that:-

(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 properly represented on each and every date fixed by the court and his absence



on two consecutive dates without proper and sufficient reason the trial court will be at 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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