

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10983 of 2019

Arising Out of PS. Case No.-163 Year-2018 Thana- KARJA District- Muzaffarpur

RAVINDRA SAHNI, S/o Laldeo Sahani, resident of village-Vijay Chapra,
P.S-Ahiyapur, district- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
19.09.2018 in a case registered for the offence punishable
under Section 395 of the Indian Penal Code.

The prosecution case got initiated on the basis of
written report dated 12.08.2018 submitted by Ranjan Kumar to
the Station House Officer, Karja Police Station is to the effect
that while the informant was travelling towards Muzaffarpur
along with some passengers in a car, on the way, three
motorcycle borne criminals robbed the car, mobile phones,
cash and a wrist watch, credit cards etc., leading to registration
of FIR against three unknown.

It is submitted by learned counsel for the petitioner



that even assuming the accusation to be true, no offence under Section 395 of the IPC is made out as it is alleged in the FIR that the robbery was committed by three persons. It is further submitted that neither recovery of any article has been made from the possession of the petitioner nor has the petitioner been put on Test Identification Parade and the investigation has already been concluded. It is further submitted that co-accused, Santosh @ Dip Prakash Kumar, has been granted bail by a co-ordinate Bench of this Court vide order dated 18.12.2018, passed in Criminal Miscellaneous No. 75846 of 2018.

Learned APP for the State submits that petitioner's name sprang up during investigation on the basis of confessional statement of co-accused and the petitioner is having serious criminal antecedent.

Considering the fact that the name of the petitioner sprang up during investigation and neither any recovery has been made from the possession of the petitioner nor has the petitioner been put on Test Identification Parade, let the above named petitioner be released 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 ACJM-II (West),



Muzaffarpur, in connection with Karja P.S. Case No.163 of 2018.

Since the petitioner is having serious criminal antecedent, learned Court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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