IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77686 of 2018

Arising Out of PS. Case No.-166 Year-2018 Thana- HAJIPUR District- Vaishali

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Umesh Sahni S/o Late Nawab Sahni, R/o Vill.- Fular, P.S.- Mahua, District- Vaishali.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rajeev Ranjan
For the Opposite Party/s : Mr.Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 03-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Hajipur Town P.S. Case No. 166 of 2018 registered for the offence punishable under Sections 394 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that while he was returning after collecting Rs.70,000/- from the market, two unidentified miscreants snatched the aforesaid amount kept in a bag as well as his personal amount of Rs.3,500/- along with the passbook and mobile and one of the miscreants also fired upon his chest resulting in grievous injury.

It has been submitted on behalf of the petitioner that except his self-confessional statement, there is no any other

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incriminating material against the petitioner and he has been implicated in this case only on the basis of suspicion. It has further been submitted that similarly placed co-accused, Md. Saheb Alam has already been granted bail by a co-ordinate Bench of this Court vide order dated 24.09.2018 passed in Cr. Misc. No.42181 of 2018. Petitioner is in custody since 05.05.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 166 of 2018, with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,

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prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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