

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78288 of 2018

Arising Out of PS. Case No.-75 Year-2018 Thana- KALYANPUR District- East Champaran

Pawan Sahani son of Late Ramayan Sahani, Resident of Village Tikuliya,
P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Kalyanpur P.S. Case No. 75 of 2018 registered for the offence punishable under Section 392 of the Indian Penal Code.

Informant has alleged that while he was returning from the shop on motorcycle, four miscreants borne on two motorcycle intercepted him and looted Rs.78,000/-, 60 gram of gold, 1 kg. silver kept in the dickey of the motorcycle, the motorcycle of the informant and his two mobiles and fled away.

It has been submitted that the petitioner is not named in the F.I.R. and nothing has been recovered from his possession and his name has surfaced in this case on the basis of confessional statement made by one co-accused, Dinanath Sahani. It has further been submitted that some looted articles



were recovered on the confessional statement made by Dinanath Sahani from the possession of Uma Devi. Similarly placed co-accused has already been granted bail by a Co-ordinate Bench of this Court as contained in Annexure 2.

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 9th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 75 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, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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