

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1664 of 2020

Arising Out of PS. Case No.-243 Year-2017 Thana- SAHEBGANJ District- Muzaffarpur

SONU SAHNI @ SANOJ SAHNI @ SANJAY SAHNI Son of Parbhu Sahani
Resident of Village - Nirpur, P.S.- Sahebganj, District- Muzaffarpur
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dr. Bipin Chandra, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Sahebganj P.S. Case No. 243 of 2017 registered for the offence punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is in custody since 20.10.2019 but he has not been put on test identification parade. It is further submitted that the petitioner's name has been dragged in this case on the basis of confessional statement of co-accused Pawan Kumar who is the co-villager of the informant and no incriminating article has been recovered from possession of the petitioner and the petitioner has no criminal antecedent.

Learned APP has opposed the prayer of bail of the



petitioner.

Considering the facts and circumstances of the case wherein the petitioner is not named in the FIR and the name of this petitioner has transpired in the confessional statement of co-accused Pawan Kumar who is the co-villager of the informant and save and except there is no material referred against the petitioner and further that the petitioner is in custody since 21.10.2019 but till date no test identification parade has been conducted, there is no recovery of any incriminating article from possession of the petitioner and the petitioner has no criminal antecedent, let the petitioner above named be released on bail in connection with Sahebganj P.S. Case No. 243 of 2017 G.R. No. 2017 of 2017 and Trial No. 148 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist (W), Muzaffarpur, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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