

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14173 of 2020

Arising Out of PS. Case No.-468 Year-2019 Thana- NAANPUR District- Sitamarhi

Ram Pravesh Sahni, age 38 years, Gender-Male, S/O- Rajeshwar Sahni
Resident of Village - Korlahiya, P.S. Mahindwara, District - Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 05-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Dr. Alok Kumar Alok, learned counsel for the petitioner and Mr. Nitya Nand Tiwary, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Nanpur PS Case No. 468 of 2019 dated 19.12.2019 instituted under Sections 395 of the Indian Penal Code and 27 of the Arms Act.

4. The allegation against the petitioner is that he was party to looting of articles from the houses of many villagers.

5. Learned counsel for the petitioner submitted that the FIR is against 35-40 unknown persons and the allegation is that



the criminals were armed and when the villagers had come, bomb was also exploded. Learned counsel submitted that he is innocent and has been named only because it is alleged that from one of the co-accused, who was caught and from whom some article was recovered, it was found that the petitioner was on talking terms with that of co-accused. It was submitted that there has been no recovery from the petitioner and that he has no other criminal antecedent and is in custody since 12.01.2020.

6. Learned APP submitted that the petitioner was on talking terms with one of the co-accused from whom there has been recovery of one looted SIM Card.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Pupari, Sitamarhi in Nanpur PS Case No. 468 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation



of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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