

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18688 of 2020

Arising Out of PS. Case No.-220 Year-2018 Thana- KHODAWANDPUR District- Begusarai

Brajesh Sahni @ Brajesh Sahani @ Brajesh Kumar Sahani (M-26 year) S/o
Suresh Sahni, R/o -Village- Sujanpur, P.S.- Gardhpura, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey
For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-06-2020 Heard Mr. Shubhesh Pandey , learned counsel for the

petitioner and Mr. Surendra Prasad Singh, learned counsel

appearing for the State through video conferencing.

The petitioner seeks regular bail in connection with
Khodawandpur P.S. Case No. 220 of 2018 registered for the
offence punishable under Sections 395 of the Indian Penal
Code, 1860.

The allegation against the petitioner as per the First
Information Report is that the informant - Md. Nasim @ Pappu
on the instruction of his employer was carrying a sum of Rs.
1,30,000/- for the purpose of purchasing some materials and
was going on for the same on a Pick-Up Van. It has further been
alleged that he was intercepted by five unknown persons and on
the point of gun they snatched the cash of Rs. 1,30,000/- from
the informant. It has further been alleged that they took away
the driving license, A.T.M. Card of the informant and mobile of
the driver.



Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. Learned counsel further submits that no incriminating material has been recovered from the possession of the petitioner and one Platina Motorcycle was recovered from the Tin shade of the petitioner, which is not subject matter of the case. Learned counsel also submits that petitioner is not named in the F.I.R. and no T.I. Parade has been conducted as yet inasmuch as the petitioner is in custody since 25.01.2020. Learned counsel also submits that the name of the petitioner has transpired on the basis of confessional statement of Jitendra Sahni @ Jitendra Kumar Sahni, who has been granted bail by this Court in Cr. Misc. No. 16216 of 2019. Learned counsel further submits that other accused persons namely, Chandan Sahni and Halchal Singh @ Bambam Singh have been granted bail by this Court in Cr. Misc. No. 50279 of 2019 and Cr. Misc. No. 44251 of 2019 respectively. Learned counsel further submits that another co-accused Vikash Kumar Jha alias Chhotu alias Vikash Kumar has been granted bail by learned Additional Sessions Judge- Ist, Begusarai in B.A. No. 86 of 2019.

Having regard to the submissions made by the parties and taking into consideration the fact that similarly situated



accused persons have been granted bail and the petitioner is in custody since 25.01.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No. 220 of 2018 on the following conditions:

(i) that one of the bailors shall be the father of the petitioner

(ii) petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Court below and his absence on two consecutive dates without any proper and just explanation will be sufficient to cancel his bail bond.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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