

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26746 of 2020

Arising Out of PS. Case No.-450 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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SURESH SAHANI Son of Satnarayan Sahani Resident of Village -
Lakshmipur Bhavanpur, P.S.- Adapur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ansul
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Kanti P.S. Case No. 450 of

2019 registered for the offence punishable under Section 395 of

the Indian Penal Code.

As per prosecution case, on 18/19.06.2019 at night,

while the informant (driver) on his truck (loaded with Polymer)

along with another driver was going to deliver the goods and

reached at the turning of Darbhanga More adjacent to

overbridge in front of Sudha Dairy, some persons in a white

Scorpio vehicle overtook and stopped the Scorpio in front of his



truck and they claimed to be Sales Tax Officials and started investigation. It is further alleged that on the point of knife and fire arms, those people took away his truck and four persons took the informant and another driver in Scorpio and left them near Kanti overbridge. After 5-6 hourse, thereafter with the help of shopkeeper they informed the Manager. After 5 to 6 hours the Manager informed them that the truck along with goods has been located and recovered.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Petitioner is in custody since 20.06.2019.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate West, Muzaffarpur in connection with Kanti P.S. Case No. 450 of 2019, subject to following conditions:-



(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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