

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26700 of 2020

Arising Out of PS. Case No.-440 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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BINOD SAHANI S/o Raghunath Sahni Resident of Village-Madhubani Ghat,
P.S.-Muffasil, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-10-2020 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 Muffasil P.S. Case No.

440 of 2019, registered for the offence punishable under Section

392 of the Indian Penal Code.

As per prosecution case, on 16.09.2019 while the

informant was returning to his house on motorcycle and reached

near Madhubani diversion, four miscreants on two motorcycles

came and dashed the motorcycle of informant and one accused

person pointed pistol on the informant and other accused

snatched his bag containing money and other articles and



thereafter, fled away on two Apache motorcycles.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Manohar Sahani. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Petitioner has been remanded in this case on 19.11.2019.

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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil P.S. Case No. 440 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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