

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27934 of 2020

Arising Out of PS. Case No.-228 Year-2019 Thana- BELA District- Sitamarhi

1. VINOD SAHNI S/O Mahesh Sahni Resident of Village - Naraga Malha Tol, P.S. - Bela, Dist.- Sitamarhi.
2. Uday Rai S/O Darbarilal Rai Resident of Village - Mananpur, P.S. - Malangwa, Dist. - Sarlahi (Nepal).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 26-11-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Mr. Ram Sumiran Roy, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned Counsel for the petitioners and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in Bela PS Case No. 228 of 2019 registered under Section 392 of the IPC.



It is the prosecution case that six miscreants on three motorcycles, who had their face covered, dashed against the informant and looted his bag containing cash, some other important documents, ATM etc. on pistol point.

It is submitted by learned Counsel for the petitioners that as per FIR the petitioners are not named accused. The petitioners were arrested in Bela PS Case No. 269 of 2019, from which they have been remanded in this case only on the basis of their own alleged confessional statement recorded in police custody. The petitioners are in custody now in this case since 17.2.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Sadar, Sitamarhi in Bela PS Case No. 228 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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