

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23713 of 2020

Arising Out of PS. Case No.-473 Year-2017 Thana- KUDHNI District- Muzaffarpur

KAPIL DEO SAHNI Son of Amir Lal Sahni Resident of Village - Charcoriya,
Chhajan, P.S.- Kudhani (Turki O.P.), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

Petitioner apprehends his arrest in connection with



Kudhani P.S. Case no. 473 of 2017 instituted for the offence under Section 392 of the Indian Penal Code.

The informant has alleged that while he was driving his vehicle loaded with paint, the same was intercepted and has been looted. Other personal articles have also been looted by three perpetrators.

It is submitted by the petitioner's counsel that based on the confessional statement of a co-accused, who has been apprehended, the petitioner is apprehending his arrest. There is no criminal antecedent of the petitioner and there is no recovery of any articles whatsoever from the petitioner.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner before the court below, named above, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Judge-III-cum- ACJM III (West Muzaffapur) in connection with Kudhani (Turki OP)P.S. Case no. 473 of 2017,subject to the conditions as laid down under



Section 438(2) Cr. P.C. 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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