

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24296 of 2020

Arising Out of PS. Case No.-134 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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KAILASH SAHANI @ KASIS Son of Lakhan Sahani Resident of Village -
Kothiya, P.S. - Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in Kanti P.S. Case No. 134 of

2019, registered for the offence punishable under Sections 394

of the Indian Penal Code.

As per prosecution case, on 21.02.2019 at about 11.00

hours, while the informant was going to Muzaffarpur from his

motorcycle, on the way, three miscreants boarded on motorcycle

forcibly stopped him on the point of gun and looted away



mobile, cash and his motorcycle.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. Petitioner was arrested in Motipur P.S. Case No. 99 of 2019 in which he confessed his involvement in the this case. No incriminating article has been recovered from possession of this petitioner. Till date petitioner has not been put on test identification parade. Charge sheet has already been submitted. Moreover, co-accused Jumman Mian @ Md. Jumman Mian @ Kankatwa has been granted bail by a coordinate Bench of this court vide order dated 16.01.2020 passed in Cr. Misc. No. 2298 of 2020 vide Annexure- 2. Petitioner is in custody since 03.06.2019.

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. 134 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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