

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28820 of 2020**

Arising Out of PS. Case No.-52 Year-2019 Thana- MUSAHARI District- Muzaffarpur

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MUKESH SAHANI @ MUKESH SAHNI Son of Tuntun Sahni Resident of
Mohalla - Chhoti Kothiya, P.S. - Mushahari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 11-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Nirmal Prasad Sinha, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Mushahari P.S. Case No. 52 of 2019 for the offence punishable under Section 392 of the Indian Penal Code.

The allegation is regarding four miscreants having surrounded the informant while he was returning to Muzaffarpur from Saharsa on the alleged date and time of occurrence whereafter the said miscreants had snatched his motorcycle as well as cash amount of Rs. 5,000/-, a mobile phone etc. and had



then fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 13.08.2019. It is further submitted that the name of the petitioner has transpired upon the confessional statement made by the co-accused person namely Shriram Sahni and the petitioner has been dragged in this case merely on suspicion. It is further submitted that no T.I. Parade has been held so as to connect the petitioner with the alleged crime.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that no Test Identification Parade has been held so as to connect the petitioner with the alleged crime as also having regard to the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-VI,
Muzaffarpur in connection with Mushahari P.S. Case No. 52
of 2019.

(Mohit Kumar Shah, J)

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