

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35147 of 2020

Arising Out of PS. Case No.-556 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

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AJIT KUMAR @ AJIT KUMAR SAHNI, Son of Kapildev Sahani @ Kapil Sahni, Resident of Village- Vijay Chapra, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional, due to present pandemic, COVID-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within three weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case in brief is that occurrence took place on 27.05.2018 near Medical over bridge,



Muzaffarpur. It has been alleged that when the informant was going to Jhapaha Dronpur Road by his motorcycle, as soon as he arrived at Medical over bridge, three offenders by Apache vehicle came and surrounded him. It is further alleged that the offenders abused him and on the point of arms, they snatched away the motorcycle and Rs. 80,000/- cash from the possession of the informant and fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR and nothing has been recovered from his possession or his house. On the basis of confessional statement of co-accused namely Arvind Kumar and the said co-accused has already been released on bail by the learned court below. The petitioner is in custody since 28.02.2020.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each in connection with Ahiyapur P.S. Case No. 556/2018 to the satisfaction of the learned Judicial



Magistrate-1st Class, Muzaffarpur, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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