

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12337 of 2021

Arising Out of PS. Case No.-383 Year-2019 Thana- PIPRA District- East Champaran

Sikindra Sahni, Son of Rajendar Sahni, Resident of Village- Banarjhula
Bhagwanpur, P.S.- Pakridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Pipra P.S. Case No.383 of 2019, registered for the offence under Section 392 of the Indian Penal Code.

As per the prosecution case, on 05.11.2019 at about 07:00 P.M, when the informant was going to his house Madhurapur and reached near Pipra over bridge, five miscreants on two motorcycle inflicted knife blow on his back and looted his motorcycle.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR, name of the petitioner came under confessional statement of co-accused. No looted article or incriminating article has been recovered from his possession. Till date petitioner has not been put on TIP. Similarly situated



co-accused, namely, Manish Kumar @ Manish Kumar @ Dabloo has been granted bail by this Court vide order dated 05.02.2020 in Cr. Misc. No.7849 of 2020. Petitioner is in custody since 16.01.2020.

Learned APP for the State has opposed the bail petition.

Considering the rival submission of the parties and materials available on record, the fact that no looted article has been recovered from the possession of the petitioner, the bail petition of petitioner is allowed. Let the above named petitioner 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra P.S. Case No.383 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for



cancellation of bail.”

(Prabhat Kumar Singh, J)

Prakash Narayan /-

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