

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14921 of 2021

Arising Out of PS. Case No.-88 Year-2019 Thana- SOHSARAI District- Nalanda

Sajan @ Sajan Singh, Son of Vishwanath Singh, Resident of Village-
Tuboliya, P.S.- Ramgarwa, District- Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-09-2021 The matter has been taken up today for
consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

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

The petitioner seeks bail in connection with
Sohsarai P.S. Case No.88 of 2019 registered for the offence
punishable under Section 395 of the I.P.C.

The case of the informant is that her husband and
elder son had gone to school. She along with her younger son
was at home when three unknown armed miscreants entered her



house on the pretext that police were chasing them. It is alleged that two mobile phones, cash and some articles were looted by three persons after locking the informant and her younger son.

The petitioner's counsel submits that the petitioner, in fact, has a utensils shop at Laheri in partnership with co-accused Rohit. He did not oblige one A.S.I. posted at Laheri P.S. The said A.S.I. was subsequently transferred to Kankarbagh Police Station at Patna, whereafter the petitioner has been implicated in the instant case along with five other accused at the instance of the said A.S.I. No recovery whatsoever has been made from the petitioner. The petitioner has been implicated allegedly on the basis of confessional statement of co-accused persons. Till date he has not been put on T.I. Parade. He is in custody since 23.01.2020. Similarly situated co-accused Rohit @ Rohit Raj has been allowed bail in Cr.Misc. No.18232 of 2020, vide order dated 05.06.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is



allowed.

Let the petitioner, above named, 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, Nalanda at Biharsharif, in connection with Sohsarai P.S. Case No.88 of 2019, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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