

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20769 of 2021

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

Rajendra Sahani S/o Lakshman Sahani R/o village- Chintamanpur, Tikuliya,
P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 08-10-2021 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 7:00 PM while the informant was going to his house Madhurapur and reached near Pipra over-bridge, five miscreants on two motorcycles intercepted the informant and inflicted knife blow on his back and looted his motorcycle.

Petitioner is not named in the F.I.R. and he has been remanded in this case from Pipra P.S. Case No. 413 of 2019 only on the basis of his confessional statement. It is further submitted that similarly situated co-accused namely Manish



Kumar Singh and Jalandhar Prasad, from whose possession stolen motorcycle was recovered, have already been granted bail by a coordinate Bench of this Court, vide order dated 05.02.2020 passed in Cr.Misc. No. 7849 of 2020 (Annexure 2 to the bail petition). Petitioner is in custody since 16.01.2020.

Learned A.P.P. for the State has opposed the bail petition and submitted that on the disclosure made by this petitioner, the stolen motorcycle was recovered.

Considering the aforesaid facts and circumstances as well as period of custody, 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 at 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.)

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